2015 JUL 31 A 9:32
TOWN CLERK
EAST HARTFORD

TOWN COUNCIL AGENDA

TOWN COUNCIL CHAMBERS

740 MAIN STREET

EAST HARTFORD, CONNECTICUT

AUGUST 4, 2015

**7:00 P.M. Public Hearing/Bonds**

==========

**Announcement of Exit Locations (C.G.S. § 29-381)**

Pledge of Allegiance 7:30 p.m.

1. CALL TO ORDER

2. AMENDMENTS TO AGENDA

3. RECOGNITIONS AND AWARDS
   A. Beautification Awards – July 2015
      1. Donna Lord – 69 Oxford Drive
      2. Justo Marrero – 59 Chipper Drive

4. OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS
   A. Other Elected Officials
   B. Other Residents
   C. Mayor

5. APPROVAL OF MINUTES
   A. July 14, 2015 Regular Meeting

6. COMMUNICATIONS AND PETITIONS
   A. Silver Lane/Rentschler Field Redevelopment: Mayor's Initiative & Discussion re: Redevelopment Tools

7. OLD BUSINESS

8. NEW BUSINESS
   A. Recommendation from Personnel & Pensions Subcommittee:
      1. Assistant Building Official 1 (new)
      2. Assistant Building Official and Assistant Building Official 2 (revised)
   B. Referral to Real Estate Acquisition & Disposition Committee re:
      1. Columbus Circle Extension
      2. 53 Chester Street
   C. Refund of Taxes
   D. Outdoor Amusement Permit Application: Believe 208 Run for the Brave and Finest:
      1. Approval of application
      2. Waiver of associated permit fee
   E. Setting a Public Hearing Date of August 18, 2015 re: Parking Ticket Appeals - §21.6e
   F. Capital Workforce Partners Intergovernmental Consortium Agreement

9. OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

10. COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

11. OPPORTUNITY FOR RESIDENTS TO SPEAK
    A. Other Elected Officials
    B. Other Residents
    C. Mayor

12. ADJOURNMENT (next meeting: August 18th)

2015 JUL 20 A 9:25
TOWN CLERK
EAST HARTFORD

EAST HARTFORD TOWN COUNCIL

TOWN COUNCIL CHAMBERS

JULY 14, 2015

PRESENT Chair Richard F. Kehoe, Vice Chair William P. Horan, Jr., Majority Leader Barbara-Ann Rossi, Minority Leader Esther B. Clarke, Councillors Marc I. Weinberg, Linda A. Russo, Ram Aberasturia, Patricia Harmon and Anita D. Morrison

## CALL TO ORDER

Chair Kehoe called the meeting to order at 7:40 p.m. The Chair announced the exit locations in accordance with Connecticut General Statutes §29-381, after which the Council joined him in the pledge of allegiance.

## OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Susan Kniep, 44-46 and 50 Olde Roberts Street, (1) spoke to the proposed bond issue and the financial impact to the town; and (5) the sale of individual tax liens.

MaryAnn Lee, 446 Main Street, Chair of the Commission on Aging, spoke in favor of a new senior center.

Ron Arpin, 32 Pendleton Drive, a Public Works Highway Supervisor, spoke in favor of the proposed capital improvement and equipment bond.

Don Sugalski, 1736 Main Street, asked for clarification on the amount of the state grant for the senior center.

## APPROVAL OF MINUTES

### June 16, 2015 Executive Session

MOTION By Barbara Rossi
seconded by Ram Aberasturia
to **approve** the minutes of the June 16, 2015 Executive Session.
Motion carried 9/0.

### June 16, 2015 Regular Meeting

MOTION By Barbara Rossi
seconded by Linda Russo
to **approve** the minutes of the June 16, 2015 Regular Meeting.
Motion carried 9/0.

## COMMUNICATIONS AND PETITIONS

### Rock Cats Baseball: East Harford Community Night

Chair Kehoe noted that the Rock Cats game on Tuesday, August 4th will be deemed East Hartford Night, with an in-stadium food drive to benefit St. Mary's food pantry.

### Resignation of Frank Vignati from the Pension and Retiree Benefits Board

Chair Kehoe announced the resignation of Frank Vignati from the Pension and Retiree Benefits Board. Minority Leader Clarke expressed her personal appreciation for Mr. Vignati's service to the town, having served with him on different commissions.

## NEW BUSINESS

### Pension Agreement: Town of East Hartford and the East Hartford Federation of Paraprofessionals

MOTION By Barbara Rossi
seconded by Linda Russo
to **approve** the pension agreement between the Town of East Hartford and the East Hartford Federation of Paraprofessionals AFT, AFL-CIO which was ratified by the bargaining unit members on June 17, 2015 and is effective July 1, 2015 through June 30, 2020.
Motion carried 9/0.

***A copy of the tentative agreement follows these minutes.***

### Proposed Bond Referendum – Capital Improvement plan Projects & Senior Center/Multipurpose Facility

Presentation from the Administration:

Mayor Marcia Leclerc offered a PowerPoint presentation on the proposed senior center, using a picture display of the existing senior center to highlight the need for a new building. The Mayor stressed the importance of having a shovel-ready project in order to attract other sources of funding including state grants. She cited the newly renovated Raymond Library as an example.

MOTION By Barbara Rossi
seconded by Anita Morrison
to **set** a Public Hearing Date of August 4, 2015 @ 7PM in Town Council Chambers to hear public comment on Appropriating $5,000,000 for The Planning, Design, Acquisition, Construction and/or Renovation of a Senior Center/Multi-purpose Facility and Authorizing The Issuance of $5,000,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof The Making of Temporary Borrowings For Such Purpose.
Motion carried 9/0.

Presentations from Police, Fire and Public Works Departments:

EHPD Deputy Chief Tim McConville, EHFD Assistant Superintendent of Alarms Bob Merski, Fire Chief John Oates and Public Works Director Tim Bockus used a PowerPoint presentation to explain the need for dispatch consoles, a fire ladder truck, a rescue squad vehicle, a fire engine, 2 dump trucks and a waste removal truck.

MOTION By Barbara Rossi
Seconded by Anita Morrison
to **set** a public hearing date of August 4, 2015 @ 7PM in Town Council Chambers to hear public comment on Appropriating $4,625,000 for The Planning, Design, Acquisition, and Construction of Various Public Improvements and Equipment and Authorizing The Issuance of $4,625,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof The Making of Temporary Borrowings For Such Purpose.
Motion carried 9/0.

Board of Education Budget Transfer FY2014-2015: Capital Reserve Fund

MOTION By Ram Aberasturia
seconded by Linda Russo
that, in accordance with Article 7, §10-38 of the East Hartford Code of Ordinances, the Town Council **approve** the Board of Education's request to expend $872,000 (or such lesser amounts as deposited based on the proceeds forwarded by the Board of Education) from the Board of Education's Capital Reserve Account for the purposes of funding capital improvements at Sunset Ridge School, the Middle School, Silver Lane School, Willowbrook School, and for the purchase of one truck and two vans which are all consistent with the projects contained in the district's approved Capital Improvement Plan.
Motion carried 9/0.

2015 Justice Assistance Grant (JAG) Program

MOTION By Bill Horan
seconded by Barbara Rossi
to **adopt** the following resolution:

**WHEREAS**, the U.S. Department of Justice, Bureau of Justice Assistance, has funding available to the Town of East Hartford under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the State of Connecticut JAG Grant Program; and

**WHEREAS**, these funds may be used to improve or enhance Law Enforcement Programs with no cash match by the Town of East Hartford; and

**WHEREAS**, the East Hartford Police Department desires to use these funds to purchase traffic enforcement equipment including a Police Motorcycle, together with required installation of lighting.

**NOW THEREFORE LET IT BE RESOLVED:** That Marcia A. Leclerc, Mayor of the Town of East Hartford, is authorized to make application to, and execute and approve on behalf of this corporation, any and all documents, contracts, and amendments as may be required by the U.S. Department of Justice as they pertain to this Justice Assistance Grant.

On call of the vote, motion carried 9/0.

East Hartford Police Department: K9 Primo

MOTION By Linda Russo
Seconded by Anita Morrison
to **approve** the transfer of ownership of Primo, a 10-year old German Shepard, from the Town of East Hartford to Todd Mona, pursuant to Section 10-3 of the East Hartford Code of Ordinances.
Motion carried 9/0.

Recommendation from Fees Committee for Fee Revisions:

Police Department Fees:

MOTION By Marc Weinberg
seconded by Ram Aberasturia
that the Town Council **approve** the following fees as requested by the Police Department and outlined in a memo dated August 12, 2014 from Mayor Marcia Leclerc to Rich Kehoe Town Council Chair and further detailed on a memo dated June 2, 2015 from Scott Sansom, Chief of Police to Marcia Leclerc, Mayor:

***Alarms***

| | |
|---|---|
| Alarm Registration Fee | $5 |
| Failure to Register | $99 |
| *False Alarm Fee: | |
| 0-3 avoidable alarms | 0 |
| 4th and 5th avoidable alarms | $25 each incident |
| 6th to 8th avoidable alarms | $50 each incident |
| 9th to 10th avoidable alarms | $75 each incident |
| 11th or more avoidable alarms | $100 each incident |
| Alarm Renewal Fee | $5 |

* per registration year

***Parking Ticket Fines***

| | |
|---|---|
| Handicapped Parking | $125 |
| Fire Lane | $ 50 |
| Snow Ban | $ 45 |
| All other Violations | $ 45 |

And that the recipient of the parking ticket have 10 calendar days (starting on the issue date) to pay the original fine and on the 11th day the ticket will double, with no increase thereafter; all fees to be effective October 1, 2015.

Motion carried 9/0.

Inspections & Permits Department Fees:

MOTION By Marc Weinberg
seconded by Linda Russo
that the Town Council **approve** the following fees as requested by the Inspections and Permits Department as outlined in a memo dated August 12, 2014 from Mayor Marcia Leclerc to Rich Kehoe, Town Council Chair:

***Building Permits***

Building Plan Review & Permit Fee – 1st $1,000:

Commercial $30

Building Plan Review & Permit Fee – 2nd $1,000 and any $1,000 after:

Commercial $20

***Demolition Permit***

1st $1,000 - $3,000 each:

Res/Commercial $30

Any $1,000 after:

Res/Commercial $17

***Cert of Occupancy***

Per $1,000 up to $2,000:

Res $25 fixed
Comm $50 fixed

***Cert of Approval***

Per $1,000 up to $2,000:

Res $10 fixed
Comm $20 fixed

***Temp Cert of Occupancy***

1st 30 days:

Commercial $75

Add 'l 30 day periods:

Commercial $200

***Re-inspections:***

Construction inspections:

Res $10
Comm $20

***Site Plan Approval:***

| | |
|---|---|
| Residential | $150 |
| Commercial | $150 |

All fees to be effective October 1, 2015.

MOTION By Ram Aberasturia
seconded by Marc Weinberg
to **amend** the motion as follows:

***Cert of Occupancy***

~~Per $1,000 up to $2,000:~~

| | |
|---|---|
| Res | $25 fixed |
| Comm | $50 fixed |

***Cert of Approval***

~~Per $1,000 up to $2,000:~~

| | |
|---|---|
| Res | $10 fixed |
| Comm | $20 fixed |

Motion carried 9/0.

On call of the vote of the amended motion, motion carried 9/0.

Individual Tax Lien Sales

MOTION By Bill Horan
seconded by Barbara Rossi
to **approve** the sale of tax liens as listed on the report attached to a memorandum dated June 19, 2015 from Finance Director Michael Walsh to Mayor Marcia Leclerc which lists and enumerates 43 properties, along with the amount of the tax lien for each property and the high bid for each property resulting from the request for proposal relevant to the tax lien sale and to **award** the high bid for the 43 properties which collectively totals $648,113.19 as follows:

- Empire VII CT Portfolio, LLC – 8 bids totaling $ 78,503.00
- ATCF II, Connecticut LLC – 35 bids totaling $ 569,610.19

Motion carried 9/0.

Referral to Real Estate Acquisition & Disposition Committee re: 9-11 Moore Avenue

MOTION By Linda Russo
seconded by Bill Horan
to **refer** to the Real Estate Acquisition & Disposition Committee the possible acquisition and transfer of ownership of 9-11 Moore Avenue, with

instructions to consider the request of Habitat for Humanity to develop the property, and report back to the Town Council with its recommendations, if any.
Motion carried 9/0.

CT Department of Social Services: Senior Center Bond Grant

MOTION By Barbara Rossi
seconded by Linda Russo
to **adopt** the following resolution:

**RESOLVED**: that the Mayor, Marcia A. Leclerc, is empowered to enter into and amend contractual instruments in the name and on behalf of this Contractor with the Department of Social Services of the State of Connecticut for a Neighborhood Facilities program, and to affix the corporate seal.

On call of the vote, motion carried 9/0.

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

Pat Harmon inquired on the deadline for purchasing tickets for the Rock Cats game. *Shawn Perry, Sales Representative for the Rock Cats, addressed the Council on the possibility of having an East Hartford Night on any date in August that is amenable to the Councillors.*

Esther Clarke asked for any information on road repairs/renovations to Route 2 in East Hartford. *Mayor Leclerc said the state DOT has been in contact with her office over the last three years, discussing improvements to Route 2 from Pitkin Street into Glastonbury. While there is no set date for a public meeting, it could be as early as this Fall or as late as Spring 2016.*

Anita Morrison asked when the Raymond Library will re-open. *The Mayor stated that due to HVAC issues, the opening date has been delayed until any problems have been resolved; an opening is possible for late September.* Councillor Morrison commented that she likes the informational sheet on the new bulky waste permit fees.

COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

None

OPPORTUNITY FOR RESIDENTS TO SPEAK

Mayor Leclerc spoke on the following: (1) distributed the reverse 911 "Alert" brochures issued by the EHPD; (2) the groundbreaking for the expansion and renovation of the United Technologies Research Center was June 22nd; (3) on Thursday, July 16th, Pratt & Whitney will have the groundbreaking for their new World Headquarters at 3PM; (4) the new bulky waste permit fees became effective July 1st; (5) the Mayor's Clean-up Day will be Saturday, September 12th from 9am to 1pm; (6) the Farmers' Market is held in front of the Raymond Library; (7) one of the Sounds of Summer events will be Thursday, July 16th

on the Town Green; and (8) acknowledged the resignation of Frank Vignati and thanked him for his service to the town.

ADJOURNMENT

MOTION By Esther Clarke
seconded by Bill Horan
to **adjourn** (10:43 p.m.).
Motion carried 9/0.

The Chair announced that the next meeting of the Town Council would be August 4th.

Attest Angela M. Attenello
Angela M. Attenello
TOWN COUNCIL CLERK

## Attenello, Angela

**From:** pasirois@comcast.net
**Sent:** Monday, July 13, 2015 6:49 AM
**To:** Attenello, Angela
**Subject:** Beautification Awards

Hi Angela,

Here are the two homes for the July Awards. We would like to present them at the August 4th Town Council meeting.

**Donna Lord**
**69 Oxford Drive**

**Justo J. Marrero**
**59 Chipper Drive**

Thanks,
Pat

# TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: July 30, 2015

TO: Richard F. Kehoe, Chair

FROM: Mayor Marcia A. Leclerc

RE: COMMUNICATION: Silver Lane and Rentschler Field Redevelopment Initiative

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Please leave time on the August 4, 2015 Town Council Meeting Agenda for a presentation from my office on the Silver Lane and Rentschler Field redevelopment initiative. As part of that discussion our Bond Council, David Panico, will talk about CT State Statutes known Connecticut City and Town Development Act.

The act provides an incentive program to attract and support larger economic development projects to the Town of East Hartford. It enables the Town to grant property tax exemptions and provide financing in the form of notes and municipal bonds on a project by project basis. The Town Council is the governing authority for application of the Act and retains the right by resolution to control and stipulate the tax related conditions and restrictions on <u>each</u> <u>individual</u> project. The resolution is subject to approval by the electors at the November election will, if approved, grant to the Town of East Hartford for the next five years from the time of approval all the powers contained in Chapter 114, Sections 7-480 through 7-503 of the Connecticut General Statutes.

I have attached a summary of the Act by Robinson & Cole, a copy of Chapter 114, Sec. 7-480 thru Sec 7-503, Connecticut City and Town Development Act. Other towns that have successfully utilized the act are Hamden, New London, Bristol and New Haven to name a few.

Thank you.

MARCIA A. LECLERC
MAYOR

# TOWN OF EAST HARTFORD

740 Main Street
East Hartford, Connecticut 06108

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OFFICE OF THE MAYOR
July 1, 2015

Mr. Benjamin Barnes
Office of Policy and Management
450 Capitol Avenue
Hartford, CT 06016

Re: Silver Lane/Rentschler Field Redevelopment
Urban Act Fund Request – Bond Commission Action
Town of East Hartford

Dear Secretary Barnes:

Thank you for meeting with me last week to discuss the Silver Lane/Rentschler Field development opportunities in the Town of East Hartford. As envisioned, the Town desires to assemble currently available parcels and prepare them for redevelopment in this critical corridor. The creation of a land acquisition fund for the town is critical in order to undertake the assembly and re-positioning of this real, but time sensitive opportunity.

The Silver Lane corridor has changed dramatically over the last two decades, due to many factors which have included but are not limited to, the closure of an exit ramp on Interstate 84, the opening of Buckland Mall in Manchester, changing demographics, and a shift in retail shopping habits. In addition, we have seen a dramatic reduction in employment on the Pratt & Whitney campus which has a ripple effect throughout the area. These factors have resulted in a high concentration of vacant, underutilized, and derelict structures along this main thoroughfare of our community. These sites fall between a relatively stable residential neighborhood to the east and the UConn Football Stadium/ Rentschler Field to the west. The Town would like to build upon these assets, and their potential to provide much needed in-fill development opportunities which will in turn strengthen the entire corridor.

An aggressive redevelopment plan for the Silver Lane corridor is identified as a priority in our 2014 Plan of Conservation and Development (POCD). As stated in the plan, "Individually, Rentschler Field and the Silver Lane corridor present significant redevelopment potential, but as an interconnected unit, they show even greater promise."

We have identified several sites which are for sale and vacant. It is our intention to acquire parcels, conduct activities related to remediation and demolition, and ultimately sell to a private developer. Our goals include an increase in our tax base, the creation of jobs, and a stabilization of our commercial

corridor, which is a gateway to potential extraordinary development including retail, entertainment, housing, hotel and businesses. We are anticipating a partnership with the Capital Region Development Authority (CRDA) for assistance with some or all of these tasks.

A vision and undertaking to revitalize the Silver Lane/Rentschler Field corridor will take upwards of $8 million to begin the urban transformation to revive a two mile portion of Silver Lane (Route 502) that lies between the intersection of Forbes Street to the east and Mercer Avenue to the west.

It is time to revitalize the corridor and to position East Hartford to capitalize on the economic and demographic trends impacting the region. I look forward to working with you as a partner along with CRDA and the Town's staff is actively at work preparing the necessary information you will need to consider our Urban Act request of $8 million.

Sincerely,

Marcia A. Leclerc

Marcia A. Leclerc
Mayor

C: Senator Timothy D. Larson
Rep. Henry Genga
Rep. Jason Rojas
Rep. Jeffrey Currey
Richard F. Kehoe

Robinson+Cole

DAVID M. PANICO
280 Trumbull Street
Hartford, CT 06103-3597
Tel (860) 275-8390
Fax (860) 275-8299
dpanico@rc.com

**DRAFT**

To: Town of East Hartford Officials

Date: July [__], 2015

Re: Adoption of City and Town Development Act

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**Powers Under the Act**

The Connecticut City and Town Development Act (the "Act"), Sections 7-480 though 7-503 of the General Statutes of Connecticut, Revision of 1958, as amended (the "CGS"), provides qualifying municipalities with additional powers to undertake programs and projects to revitalize municipalities. These include the power to:

(a) acquire, receive by gift or otherwise, purchase, acquire options to purchase, own and hold as lessee or lessor any development property;

(b) construct, reconstruct, rehabilitate, improve, alter, equip, maintain or repair or provide for the construction, reconstruction, improvement, alteration, equipment or maintenance or repair of any development property;

(c) make mortgage loans or other loans or advances to sponsors;

(d) borrow money and to issue its bonds or notes or other obligations (including refunding bonds) for a term up to 30 years (40 years for housing projects) pursuant to a resolution adopted by the legislative body;

(e) make loans, which for the purposes of this section shall also include commitments to make loans and advances to any sponsor to provide funds in furtherance of the purposes of this chapter; or

(f) exempt development property from any property tax imposed by the municipality or enter into an agreement providing for payments in lieu of taxes for a period not in excess of twenty years.

Unlike Chapter 130 (redevelopment projects) and Chapter 132 (municipal development projects), the adoption of a redevelopment plan and development plan, which can be time-consuming and expensive, is not required.

Several of our clients, including Hartford, New Haven and most recently Hamden, have adopted the Act and utilized it for projects. The Town of Hamden utilized the Act to issue bonds to assist Whitney Center finance an expansion to their facility. Whitney Center is one of he largest taxpayers in Hamden.

**Requirements**

In order to adopt the Act, the Town must find and determine, by resolution, that conditions substantially as described in CGS Section 7-481 exist in the Town, are continuing and may be ameliorated by the exercise of the powers granted under the Act. The resolution shall include the

following findings and determinations and the following standards for the implementation of the powers granted under the Act:

(1) an unreasonable number of residents of the Town are subject to hardship in finding employment and adequate, safe and sanitary housing;

(2) conditions of blight and deterioration exist in the Town;

(3) private enterprise is not meeting such need for housing, employment, and the reduction of blight and deterioration;

(4) the need for employment and adequate, safe and sanitary housing will be lessened and the Town will be revitalized by the exercise of the powers granted under the Act;

(5) adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property;

(6) a feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced;

(7) development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services;

(8) the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the Town.

The resolution adopted by the Town Council shall be submitted to the electors of the Town for their approval at referendum. A draft is included at **Exhibit A**.

The resolution shall be effective for a period not in excess of five years from the effective date of such resolution, but can then be readopted.

The issuance of bonds for a particular project must be subsequently approved by resolution of the Town Council.

EXHIBIT A

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAST HARTFORD, CONNECTICUT ADOPTING THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT AND AUTHORIZING THE TOWN TO UNDERTAKE PROGRAMS AND PROJECTS AUTHORIZED UNDER SAID ACT**

**WHEREAS,** Chapter 114 of the General Statutes of Connecticut, Sections 7-480 to 7-503, inclusive, as amended from time to time (the "Act"), provides that municipalities which have found and determined that conditions substantially as described in Section 7-481 of the Act exist in the municipality, are continuing, and may be ameliorated by the exercise by the municipality of the powers granted under the Act may exercise the powers under the Act; and

**WHEREAS,** in order to exercise the powers conferred upon municipalities under the Act for a period not in excess of five years, the legislative body of a municipality must determine by resolution that conditions substantially as described in Section 7-481 of the Act exist, such resolution must include certain findings and determinations and standards as required under Section 7-485 of the Act for implementation of the powers granted under the Act, and such resolution be submitted to the electors of the municipality for their approval; and

**WHEREAS,** any action taken in the exercise of any powers granted under the Act by a municipality may only be taken after approval of such action by the legislative body of such municipality, which approval must be by resolution adopted in accordance with the Act; and

**WHEREAS,** pursuant to the Act, a municipality shall have the power to issue its notes and bonds for achieving the purposes of the Act, including the making of mortgage loans and loans to sponsors, the acquisition of development property, the establishment of reserves to secure such notes and bonds, interest on such notes and bonds during construction and for one year thereafter, and the payment of expenses incident to or necessary for furtherance of the purposes of the Act; and

**WHEREAS,** the Town of East Hartford, Connecticut (the "Town") considers any level of unemployment unreasonable and any obsolete residential, industrial, commercial and manufacturing facilities unacceptable, and continually seeks innovative approaches to attracting jobs to the Town, constructing and holding residential, non-residential, industrial, commercial and manufacturing facilities, and eliminating vacant facilities which are a blighting influence; and

**WHEREAS,** the ordinary operations of private enterprise cannot deal effectively with these problems without the powers provided under the Act, and the exercise of the powers conferred upon the Town by the Act are critical to revitalizing the Town; and

**WHEREAS,** the members of the Town Council have general knowledge of the conditions within the Town relating to the rate of unemployment, the obsolescence of many of the Town's residential, commercial, industrial and manufacturing facilities and the need for the Town to retain and attract new residential, commercial, industrial and manufacturing facilities; and

**WHEREAS,** the Town continues local efforts to address the needs of its citizens as stated above by reducing blight, increasing the tax base and creating opportunities for employment; and

**WHEREAS,** the Town Council is generally aware of the requirements imposed upon municipalities by the Act; and

**WHEREAS,** it is in the interest of the Town to implement the provisions of the Act as soon as possible in order to take advantage of the provisions of the Act.

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED:** That the Town Council hereby makes the following findings and determinations and the following standards for the implementation of the powers granted under the Act:

(1) it is unreasonable that any number of residents of the Town are subject to hardship in finding employment and adequate, safe and sanitary housing;

(2) any conditions of blight and deterioration that exist in the Town must be addressed;

(3) private enterprise is not meeting such need for housing, employment, and the reduction of blight and deterioration;

(4) the need for employment and adequate, safe and sanitary housing will be lessened and the Town will be revitalized by the exercise of the powers granted under the Act;

(5) adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property;

(6) a feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under the Act and such families and individuals shall not suffer disproportionate injuries as a result of actions authorized by the Act for the public benefit;

(7) development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services; and

(8) the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the Town.

**RESOLVED:** That anything contained in this Resolution to the contrary notwithstanding, it is the intention of this Town Council that by adopting this Resolution it is conferring upon the Town, subject to approval of a majority of the persons voting on this Resolution at the next regular municipal election, all of the authorities, powers, rights and obligations conferred upon municipalities under the provisions of the Act, and that upon approval of this Resolution by a majority of persons voting on this Resolution as aforesaid, the Town will have sufficiently complied with the Act so as to be able to exercise all of the powers conferred upon municipalities under the Act in accordance with said Act.

**RESOLVED:** That the Town Council hereby adopts this Resolution and the Act.

**RESOLVED:** That the Mayor, the Town Clerk and the Registrars of Voters are hereby authorized to take any and all steps necessary to place this Resolution on the ballot at the next regular municipal election held subsequent to the adoption of this Resolution in accordance with the provisions of the Act and Section 9-369 of the General Statutes of Connecticut, Revision of 1958, as amended, including but not limited to warning electors, preparing ballots labels, holding the referendum and canvassing the vote on this Resolution.

**RESOLVED:** That the effective date of this Resolution shall be the date of its approval by a majority of persons voting on this Resolution at the next regular municipal election held subsequent to the adoption of this Resolution by this Town Council, and this Resolution shall be effective for a period of five years from such effective date. If less than a majority of those voting in such municipal election vote to approve this Resolution, it shall become null and void.

I HEREBY APPROVE the above action taken by the Town Council on _____, 2015 adopting the City and Town Development Act for the Town and submitting same to the electors for approval or disapproval.

Dated at East Hartford, Connecticut this ____ day of _____, 2015.

_____
MARCIA A. LECLERC, Mayor

_____
Witness

_____
Witness

# CHAPTER 114
# CONNECTICUT CITY AND TOWN DEVELOPMENT ACT

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Sec. 7-499. Agreement with bond holders.
Sec. 7-500. Exclusive procedure for issuance of bonds.
Sec. 7-501. Competitive or public bidding requirements.
Sec. 7-502. Applicability of payment bond, prevailing wage and other employee benefit laws.
Sec. 7-503. Chapter grants no authority for municipality to acquire, own, develop or improve real property outside its borders.

**Sec. 7-480. Short title.** This chapter shall be known and may be cited as the "Connecticut City and Town Development Act".

(July Sp. Sess. P.A. 75-2, S. 1, 25.)

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**Sec. 7-481. Declaration of legislative policy.** (a) It is hereby found and declared that there continues to exist in the state in many of its municipalities conditions of substantial and persistent unemployment; that many existing residential, industrial, commercial and manufacturing facilities within many municipalities are either obsolete, inefficient or dilapidated or are located without regard to the master plans of such municipalities; that the obsolescence and abandonment of existing facilities will

increase with technological advances, the provision of modern, efficient facilities in other states and the difficulty which many municipalities have in attracting and holding new facilities; and that many existing and planned industrial, manufacturing and commercial facilities are far from or not easily accessible to the places of residence of substantial numbers of unemployed and underemployed persons.

(b) It is further found and declared that there exists a critical shortage of adequate housing in many municipalities which is the result of declines in new housing starts and the existing large number of substandard, unsafe and unsanitary dwellings; that a large and significant number of residents of many municipalities have been and will be subject to hardship in finding adequate, safe and sanitary housing unless new facilities are constructed and existing housing, where appropriate, is rehabilitated; that unless the supply of housing is increased significantly and expeditiously, a large number of such residents will be compelled to live in unsanitary, overcrowded and unsafe conditions to the detriment of the health, welfare and well being of these persons and of such municipalities or such residents will abandon such municipalities to find suitable housing elsewhere, thus further contributing to the decline of such municipalities; and that by increasing the housing supply in such municipalities and the ability of their residents to obtain decent, safe and sanitary housing, the critical shortage of adequate housing will be ameliorated.

(c) It is further found and declared that such conditions combined with the existence in many municipalities within the state of residential, nonresidential, commercial, industrial, vacant or predominantly vacant areas which are slum or blighted because of substandard, unsanitary, deteriorated or deteriorating conditions which accelerate the decline of population in such municipalities, retard sound economic growth and physical development, erode the financial position of such municipalities and their residents by shrinking their tax base, increasing the share of the tax burden which each taxpayer must bear and reducing the incentive for investment in such municipalities, and adversely affect the health, safety, welfare and prosperity of the state and more particularly the people of such municipalities.

(d) It is further found and declared that, by virtue of their architectural and cultural heritage, their positions as principal centers of communication and transportation and their concentration of productive and energy efficient facilities, many municipalities are capable of ameliorating the conditions of deterioration which impede sound community growth and development; that building a proper balance of housing, industrial and commercial facilities and increasing the attractiveness of such municipalities to persons of all income levels are essential to restoring such municipalities as desirable places to live, work, shop and enjoy life's amenities; that the accomplishment of these objectives is beyond remedy solely by the regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the powers provided herein; and that the exercise of the powers herein provided is critical to continuing the process of revitalizing such municipalities and will serve an urgent public use and purpose.

(e) The necessity in the public interest and for the public benefit and good of the provisions of this chapter is hereby declared as a matter of legislative determination.

(July Sp. Sess. P.A. 75-2, S. 2, 25.)

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**Sec. 7-482. Definitions.** As used in this chapter:

(a) "Annual sinking fund payment" means the amount of money specified in the resolution authorizing term bonds secured by a capital reserve fund as payable into a sinking fund during a particular fiscal year for the retirement of term bonds secured by a capital reserve fund which mature after such fiscal year, but shall not include any amount payable by reason only of the maturity of a bond;

(b) "Bonds", "notes", "other obligations" means any bonds, notes or other evidences of indebtedness, respectively, issued by a municipality pursuant to this chapter;

(c) "Capital reserve fund" means any capital reserve fund established by a municipality in accordance with section 7-492;

(d) "Development property" means any real or personal property, interest therein, improvements thereon, appurtenances thereto and air or other rights in connection therewith, including land, buildings, plants, structures, systems, works, machinery and equipment acquired or to be acquired by purchase, gift or otherwise by a sponsor or by a municipality and dedicated by resolution to the purposes of this chapter;

(e) "Facility charges" means tolls, rents, rates, fees or other charges in this chapter, in connection with, or for the use or services of, or otherwise relating to, any development property owned or controlled by the municipality in furtherance of the purposes of this chapter;

(f) "Governmental unit" means the United States of America or the state or any city, town, consolidated town and city or consolidated town and borough or any subdivision, department, agency, instrumentality, authority, board, commission, bureau, division or legal entity heretofore or hereafter created, designated or established by or for the United States of America or the state or any city or town;

(g) "Legislative body" means the council, commission, board, body or town meeting, by whatever name it may be known, having or exercising the general legislative powers and functions of a municipality;

(h) "Maximum capital reserve fund requirement" applies only to bonds secured by a capital reserve fund and means, as of any particular date of computation, an amount of money equal to the greatest of the respective amounts, for the then current or any future fiscal year of the municipality, of annual debt service secured by a capital reserve fund of the municipality, such annual debt service secured by a capital reserve fund for any fiscal year, being the amount of money equal to the aggregate of (1) all interest payable during such fiscal year on all such bonds of the municipality outstanding on said date of computation, plus (2) the principal amount of all such bonds of the municipality outstanding on said date of computation which matures during such fiscal year, plus (3) the amount of all annual sinking fund payments payable during such fiscal year with respect to any such bonds of the municipality outstanding on said date of computation;

(i) "Municipality" means any city, town, consolidated town and city or consolidated town and borough in the state which shall by resolution make the findings and determinations required by section 7-485 and which shall exercise all powers granted and make all findings and determinations required under this chapter by means of resolution;

(j) "Operating expenses" means all costs and expenses of a municipality or its delegate incurred in connection with any action taken pursuant to this chapter, including but not limited to salaries and wages, expenses of administering staff functions, fees of professional consultants, legal fees, charges incurred for servicing of mortgage loans or loans to sponsors, money management, office rents, utility charges, costs of

supplies, furnishings, equipment, machinery and apparatus, maintenance and repair of property and other expenses incurred in connection with the foregoing;

(k) "Purposes of this chapter" means ameliorating the deterioration of municipalities by preserving and expanding employment opportunities and the tax base of municipalities by undertaking or assisting in the financing, development or construction of housing, industrial, commercial, parking, retail, office, hotel, warehouse, recreational or transportation facilities or any combination thereof and any service facilities related thereto or supportive thereof;

(l) "Resolution" means any resolution adopted by the legislative body of a municipality or by the governing body of any governmental unit or nonprofit corporation to which a municipality has delegated powers under the provisions of section 7-486, after (1) notice of the proposed resolution has been placed on record in the office of the municipal clerk for public inspection and (2) a summary of the proposed resolution has been published at least once in a newspaper of general circulation within the municipality, both setting forth the time and place of the public hearing provided for in subdivision (3) of this subsection and (3) a public hearing has been held thereon not less than five days nor more than fourteen days subsequent to the placing on record of such notice and the publication of such summary. Such resolution shall be adopted by a majority vote of the members of the legislative body of the municipality, provided where the legislative body of the municipality is the town meeting, a resolution may be adopted upon approval of a majority of those electors present and voting on the resolution at the town meeting. Any resolution, except a resolution adopted pursuant to sections 7-485 or 7-492, shall become effective upon adoption, unless otherwise specified in such resolution;

(m) "Revenues" means fees, rentals, tolls, charges and other receipts, income or moneys made, received or derived by or paid for the account of a municipality from, in connection with or arising out of any development property, and may include subsidies, grants and other payments or portions thereof from governmental units which, under their terms, may be pledged by a municipality in accordance with the provisions of this chapter;

(n) "Sponsor" means individuals, joint ventures, partnerships, limited partnerships, trusts, business corporations, nonprofit corporations, cooperatives, condominiums, associations, public bodies or any other legal entities or combination thereof, who have filed with the clerk of the municipality a list of the names and addresses of each of its members or stockholders, if any, except in the case of a corporation the stock of which is traded in the open market or over the counter or listed on any stock exchange, and who have been approved by a municipality as financially qualified to own, construct, acquire, rehabilitate, operate, manage or maintain development property in furtherance of the purposes of this chapter; and

(o) "State" means the state of Connecticut.

(July Sp. Sess. P.A. 75-2, S. 3, 25; P.A. 84-428, S. 2, 4.)

History: P.A. 84-428 amended Subdiv. (d) by allowing acquisition of such property interests by a sponsor, as defined in Subdiv. (n) of this section, in addition to acquisition by a municipality as allowed prior to this amendment.

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**Sec. 7-483. Powers granted to municipalities.** In furtherance of the purposes of this chapter, which are hereby deemed to be municipal purposes, for which municipal funds may be expended, each municipality shall, in addition to those powers otherwise conferred by any general statute, special act or municipal charter or ordinance, have the following powers, except as otherwise limited by this chapter, and provided the exercise of such powers by a municipality shall be in accordance with the procedures established by this chapter:

(a) To acquire, receive by gift or otherwise, purchase, acquire options to purchase, own and hold as lessee or lessor any development property which is located within the borders of the municipality. Any lease shall be binding upon the municipality as lessor or lessee, including, without limitation, the term or any extension thereof and the obligation to appropriate funds as necessary to meet rent and other obligations as provided within such lease.

(b) To construct, reconstruct, rehabilitate, improve, alter, equip, maintain or repair or provide for the construction, reconstruction, improvement, alteration, equipment or maintenance or repair of any development property and let, award and enter into construction contracts, purchase orders and other contracts with respect thereto upon such terms and conditions as the municipality shall determine to be reasonable, including but not limited to reimbursement for the planning, designing, financing, construction, reconstruction, improvement, equipping, furnishing, operation and maintenance of any such development property and the settlement of any claims arising therefrom and the establishment and maintenance of reserve funds with respect to the financing of such development property.

(c) To sell, lease as lessor or lessee, grant options to purchase or to renew a lease, assign, exchange, mortgage as security for notes or bonds issued pursuant to section 7-491 or otherwise dispose of or encumber and to manage or operate any development property.

(d) To accept gifts, grants or loans of funds, property or services from any source, public or private, and comply, subject to the provisions of this chapter, with the terms and conditions thereof.

(e) To prepare or cause to be prepared plans, specifications, designs and estimates of costs for the construction, reconstruction, rehabilitation, improvement, alteration, equipping, maintenance or repair of any development property, and from time to time to modify these plans, specifications, designs or estimates.

(f) To make mortgage loans or other loans or advances to sponsors as provided in section 7-488.

(g) When it becomes necessary and feasible for a municipality to safeguard itself from losses, to acquire, purchase, foreclose on, manage or operate, hold or dispose of development property, take assignments of rentals and leases and make and enter into all contracts, leases, agreements and arrangements necessary or incidental to the protection of its interests under any law, mortgage contract or agreement.

(h) In order to further the purposes of this chapter or to assure the payment of the principal and interest on bonds or notes of the municipality, to purchase, acquire and take assignments of notes, mortgages and other forms of security and evidences of indebtedness, purchase, acquire, attach, accept or take title to any development property by conveyance or by foreclosure, and sell, lease or rent any development property for a use specified in this chapter.

(i) To borrow money and to issue its bonds or notes or other obligations and to fund or refund the same and provide for the rights of the holders thereof as provided in this chapter.

(j) To charge and collect facility charges as provided in section 7-490.

(k) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the exercise of its powers in furtherance of the purposes of this chapter, including contracts and agreements with sponsors.

(l) In connection with any application or commitment for assistance under this chapter, to make and collect such fees and charges as the municipality shall determine to be reasonable.

(m) To make, modify, amend or repeal rules and regulations with respect to its operations, properties and facilities.

(n) To sue and be sued and plead and be impleaded with respect to any action taken pursuant to powers granted by this chapter.

(o) To appoint, employ or retain attorneys, accountants, architectural, engineering and financial consultants, assistants, agents and other employees as it may deem necessary or desirable and to fix their compensation.

(July Sp. Sess. P.A. 75-2, S. 4, 25.)

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**Sec. 7-484. Actions to be undertaken by means of separate resolutions.** No action in the exercise of any powers granted under the provisions of this chapter shall be undertaken by a municipality or by any governmental unit or nonprofit corporation to which a municipality has delegated powers pursuant to section 7-486, without the approval of each such action by the legislative body of such municipality or by the governing body of such governmental unit or nonprofit corporation, which approval shall be by means of a separate resolution, and findings and determinations made or required to be made under the provisions of this chapter shall be made by means of a separate resolution.

(July Sp. Sess. P.A. 75-2, S. 5, 25.)

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**Sec. 7-485. Required municipal findings and determination. Mandatory referendum.** (a) No power granted to a municipality under this chapter may be exercised unless and until the municipality shall have found and determined by resolution that conditions substantially as described in section 7-481 exist in the municipality, are continuing and may be ameliorated by the exercise of the powers granted under this chapter. Such resolution shall include the following findings and determinations and the following standards for the implementation of the powers granted under this chapter: (1) An unreasonable number of residents of the municipality are subject to hardship in finding employment and adequate, safe and sanitary housing; (2) conditions of blight and deterioration exist in the municipality; (3) private enterprise is not meeting such

need for housing, employment, and the reduction of blight and deterioration; (4) the need for employment and adequate, safe and sanitary housing will be lessened and the municipality will be revitalized by the exercise of the powers granted under this chapter; (5) adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property; (6) a feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under this chapter and such families and individuals shall not suffer disproportionate injuries as a result of actions authorized by this chapter for the public benefit; (7) development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services; (8) the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the municipality.

(b) Each resolution adopted pursuant to subsection (a) of this section shall be submitted to the electors of the municipality for their approval. Within fourteen days after the adoption of such resolution a copy of such resolution shall be published in a newspaper having a general circulation within the municipality in which such resolution was adopted together with a notice of the time that a referendum shall be held on the question of approval of such resolution. The question of approval of such resolution shall be submitted to the electors of such municipality at a special election called for such purpose to be held not less than thirty days, nor more than sixty days, after adoption of such resolution, in conformity with the provisions of section 9-369 or, if a regular municipal election is to be held more than sixty days, but not more than one hundred twenty days, after the adoption of such resolution, such question shall be so submitted at such regular election and a vote thereon shall be taken in the manner prescribed by said section 9-369. If a majority of those voting in any such referendum vote to approve such resolution, such resolution shall thereupon become effective. If less than a majority of those voting in any such referendum vote to approve such resolution, it shall become null and void.

(c) Any resolution adopted pursuant to this section shall specify the period for which such resolution shall be effective, provided no such resolution shall be effective for a period in excess of five years from the effective date of such resolution. Upon the expiration of the effective period of any resolution adopted pursuant to this section: (1) Any indebtedness contracted, encumbrances made or commitments entered into by a municipality by resolution or contracts executed pursuant to resolution, including all proceedings related thereto, shall be valid and binding in accordance with their terms respectively and shall be of full force and effect if incurred, adopted or executed respectively during the period in which such resolution referred to in this section is effective and the municipality shall have all powers herein conferred with respect thereto notwithstanding the expiration of such period; and (2) the municipality which adopted such resolution shall not be authorized to exercise any powers created by this chapter, provided any such municipality shall be authorized to continue to exercise all powers created by this chapter in regard to any development property in regard to which any contract or lease has been previously entered into by such municipality with a sponsor or in regard to which any bonds or notes have been issued by such municipality.

(July Sp. Sess. P.A. 75-2, S. 6, 25.)

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**Sec. 7-486. Delegation of powers.** (a) A municipality shall have the power to delegate any power reserved to the municipality under the provisions of this chapter, except the powers provided for in sections 7-485, 7-491, 7-492 and 7-498, to any governmental unit created by or under the jurisdiction or control of the municipality or to any nonprofit corporation as defined in and organized and existing under the provisions of chapter 602 or any predecessor statutes thereto, provided that in making any such delegation of power the municipality shall impose by resolution such restrictions as may be appropriate to assure the carrying out of the purposes of this chapter.

(b) Whenever a municipality delegates any power to any governmental unit or nonprofit corporation pursuant to subsection (a) of this section, the municipality shall require each director, officer, member and other responsible official, as the case may be, of such governmental unit or nonprofit corporation to execute a surety bond in the penal sum of fifty thousand dollars or, in lieu thereof, such governmental unit or nonprofit corporation shall execute a blanket surety bond covering all members and employees of such governmental unit or nonprofit corporation, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in this state as surety and to be approved by the legal counsel of the municipality and filed in the office of the clerk of the municipality. The cost of each such bond shall be paid by such governmental unit or nonprofit corporation. Whenever a municipality delegates any power pursuant to this chapter to a nonprofit corporation, such corporation (1) shall be deemed a public agency for the purposes of subdivision (1) of section 1-200, provided negotiations regarding any development property shall be subject to the provisions of subdivision (6) of subsection (b) of section 1-210 and (2) shall be subject to the provisions of any special act, municipal charter or ordinance requiring (A) bonds or other security for the performance of contracts for demolition, construction or rehabilitation or (B) competitive or public bidding, except as provided in section 7-501.

(c) No nonprofit corporation, to which a municipality has delegated powers pursuant to this section, shall serve as a sponsor for the purposes of this chapter.

(July Sp. Sess. P.A. 75-2, S. 7, 25; P.A. 96-256, S. 171, 209; P.A. 97-47, S. 46.)

History: P.A. 96-256 amended Subsec. (a) to replace reference to "chapter 600" with "chapter 602 or any predecessor statutes thereto", effective January 1, 1997; P.A. 97-47 made a technical change in Subsec. (b).

Cited. 28 CA 622.

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**Sec. 7-487. Laws governing city and town development.** (a) This chapter shall not supersede any other general statute, special act, municipal charter or ordinance, with regard to zoning regulations of the municipality adopted pursuant to section 8-2, or any special act, inland wetlands regulations adopted pursuant to section 22a-42a, such environmental regulations, orders, permits or licenses promulgated, issued or adopted by the Commissioner of Environmental Protection or any municipality pursuant to the authority granted under titles 22a and 25, local building requirements, the requirements of any plan of conservation and development for the municipality which has been approved by a municipal planning commission pursuant to section 8-23 or any redevelopment plan or urban renewal plan for the municipality which has been approved by a redevelopment agency pursuant to section 8-127. In addition the physical

improvement, use and enjoyment of development property shall be subject to all general statutes, special acts, municipal charters and ordinances and all state or local regulations.

(b) No vote, whether taken prior to or subsequent to August 8, 1975, by the legislative body of a municipality pursuant to section 8-2 to exempt municipal property from the regulations prescribed by the zoning commission of such municipality shall apply to development property.

(July Sp. Sess. P.A. 75-2, S. 8, 25; P.A. 95-335, S. 13, 26.)

History: P.A. 95-335 amended Subsec. (a) to change "plan of development" to "plan of conservation and development", effective July 1, 1995.

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**Sec. 7-488. Power of municipality to make loans.** (a) A municipality shall have the power to make loans, which for the purposes of this section shall also include commitments to make loans, temporary loans and advances in anticipation of permanent loans, to any sponsor to provide funds in furtherance of the purposes of this chapter; provided such loans shall be made only after the municipality finds and determines that similar loans are not otherwise available to such sponsors, wholly or in part, from private lenders upon reasonably equivalent terms and conditions.

(b) All loans shall be subject to any rules and regulations of the municipality established by resolution with respect to the making of such loans, and the use of the proceeds of all loans shall be restricted to only those activities which are in furtherance of the purposes of this chapter. Loans shall be evidenced by a note or bond, shall be secured or unsecured, shall be in such amounts, shall bear such date or dates, shall mature at such time or times, may be subject to prepayment and may contain such other provisions consistent with the purposes of this chapter as the municipality shall by resolution determine. Each such loan shall be authorized by a separate resolution of the legislative body of the municipality.

(July Sp. Sess. P.A. 75-2, S. 9, 25.)

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**Sec. 7-489. Sale, lease, disposition and use of development property.** (a) A municipality shall have power to sell, lease or otherwise dispose of all or part of any development property to any governmental unit or sponsor and to make agreements of any kind with any governmental unit or sponsor for the use or operation thereof, for such consideration and for such period or periods of time and upon such other terms and conditions as the municipality may fix and agree upon. In the exercise of such power, the municipality may make any improved or unimproved development property available for use by a governmental unit or sponsor in accordance with the purposes of this chapter at its use value, being the value, whether expressed in terms of rental or capital price, at which the municipality determines such property should be made available in order that it may be developed or used for the purposes of this chapter.

(b) In order to assure that development property is developed or used in accordance with the purposes of this chapter, a municipality, upon the sale, lease or other disposition of such property, shall obligate purchasers, lessees or other users (1) to use such property for the purposes of this chapter, (2) to begin the building or installation of their improvements on any such property, and to complete the same, within such periods of time as the municipality may fix as reasonable, and (3) to comply with such other conditions as are necessary or desirable to carry out the purposes of this chapter. Any such obligations imposed on a purchaser of real property shall be covenants and conditions running with the land for as long as any bonds issued in connection with such development property are outstanding.

(July Sp. Sess. P.A. 75-2, S. 10, 25; P.A. 06-196, S. 43.)

History: P.A. 06-196 made technical changes in Subsec. (b), effective June 7, 2006.

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**Sec. 7-490. Imposition and collection of facility charges.** (a) A municipality shall have the power to charge and collect facility charges. Such facility charges may be charged to and collected from any governmental unit or sponsor and such governmental unit or sponsor shall be liable for and shall pay such facility charges to the municipality at the time when and place where such charges become due and payable. No governmental unit shall be required to pay any facility charges unless such governmental unit has agreed to pay such charges. Facility charges payable by a governmental unit subject to the limitations on indebtedness provided in subsection (b) of section 7-374 shall not be included in any calculation of debt of such governmental unit subject to such limitation, and agreements to pay facility charges may be entered into by any governmental unit notwithstanding any statutory debt limitations, including any limitation on indebtedness provided in said subsection (b) of section 7-374.

(b) The facility charges fixed, charged and collected by a municipality with respect to any such development property shall comply with the terms of any lease or other agreement of the municipality with regard to such development property and, subject to the provisions of any contract with noteholders or bondholders and any such lease or other agreement, the facility charges fixed, charged and collected by the municipality may be increased or decreased by the amount of increase or decrease of the expenses of the municipality attributable to the development property for which facility charges are made. Such expenses may include, but not be limited to, operating expenses and expenses of maintenance, insurance, improvements, replacements, reconstruction and any other payments, amounts necessary to pay the principal of and interest or redemption price on any bonds or notes, and amounts necessary to maintain such reserves as may be required by the terms of any lease or other agreement of the municipality or as may be deemed necessary or convenient and desirable by the municipality.

(July Sp. Sess. P.A. 75-2, S. 11, 25.)

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**Sec. 7-491. Issuance of notes and bonds.** (a) Subject to the provisions of section 7-492 and any general statute, special act or municipal charter or ordinance to the contrary notwithstanding, a municipality

shall have the power and is hereby authorized to issue from time to time its notes and bonds in such principal amounts as the municipality shall determine to be necessary to provide sufficient funds for achieving the purposes of this chapter, including the making of mortgage loans and loans to sponsors, the acquisition of development property, the establishment of reserves to secure such notes and bonds, interest on such notes and bonds during construction and for one year thereafter, and the payment of expenses incident to or necessary for furtherance of the purposes of this chapter.

(b) A municipality shall have the power, from time to time, to issue (1) notes to renew notes and (2) bonds to pay notes, including the interest thereon and, whenever it deems refunding expedient, to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and to issue bonds partly to refund bonds then outstanding for any of the purposes of this chapter. The refunding bonds may be exchanged for the bonds to be refunded or sold and the proceeds applied to the purchase, redemption or payment of such bonds.

(c) The notes and bonds shall be authorized by resolution of the municipality, shall bear such date or dates and shall mature at such time or times not exceeding forty years from the date thereof in the case of bonds issued to finance housing and facilities related thereto or thirty years from the date thereof in all other cases, as such resolution may provide. The bonds may be issued as serial bonds or as term bonds or as a combination thereof. The notes and bonds shall bear interest at such rate or rates, be in such denominations, be in such form, either bearer or registered, carry such exchange, transfer and registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption as such resolution may provide. The notes and bonds may be sold by the municipality at public or private sale, at such price or prices as the municipality shall determine.

(d) Any resolution authorizing notes or bonds or any issue thereof may contain provisions, which shall be a part of the contract or contracts with the holders thereof, as to: (1) Pledging all or part of any revenues to secure the payment of the notes or bonds or of any issue thereof, subject to such agreements with noteholders or bondholders as may then exist; (2) pledging all or any part of the development property in which the municipality has acquired an interest from the proceeds of bonds and notes to secure the payment of the notes or bonds or of any issue of notes or bonds, subject to such agreements with noteholders or bondholders as may then exist; (3) the use and disposition of the gross income from mortgages owned by the municipality for the purposes of this chapter and payment of principal of mortgages owned by the municipality for the purposes of this chapter; (4) the setting aside of reserves or sinking funds and the regulation and disposition thereof; (5) limitations on the purposes to which the proceeds of sale of notes or bonds may be applied and pledging such proceeds to secure the payment of the notes or bonds or of any issue thereof; (6) limitations on the issuance of additional notes or bonds; the terms upon which additional notes or bonds may be issued and secured; and the refunding of outstanding or other notes or bonds; (7) the procedure, if any, by which the terms of any contract with noteholders or bondholders may be amended or abrogated, the amount of notes or bonds the holders of which must consent thereto, and the manner in which such consent may be given; (8) limitations on the amount of moneys to be expended by the municipality for its operating expenses; (9) vesting in a trustee or trustees property, rights, powers and duties in trust as the municipality may determine, which may include any or all of the rights, powers and duties of the trustee appointed by the bondholders pursuant to this chapter, and limiting or abrogating the right of the bondholders to appoint a trustee under this chapter or limiting the rights, powers and duties of such trustee; (10) the acts or omissions to act which shall constitute a default in the obligations and duties of the municipality to the holders of the notes or bonds and providing for the rights and remedies of the holders of the notes or bonds in the event of such default, including the right to appointment of a receiver; provided, however, such rights and remedies shall not be inconsistent with the general laws of the state and the other provisions of this chapter; (11) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(e) If the resolution of a municipality authorizing the issuance of bonds or notes so states, the validity of such bonds or notes may be contested only if an action, suit or proceeding contesting such validity is commenced within sixty days after the date of publication of such resolution.

(f) Prior to the issuance of any bonds and notes, a municipality shall find and determine that the intended use of the proceeds of such bonds and notes is in the public interest and will advance the carrying out of the purposes of this chapter. Such determination shall be based upon a record of proceedings which shall include such matters as the municipality shall consider relevant to such determination.

(g) Any pledge made by the municipality shall be valid and binding from the time when the pledge is made, and the revenues or property so pledged and thereafter received by the municipality shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the municipality, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(h) Neither the officials nor members of the legislative body of the municipality nor any other authorized person executing such notes or bonds shall be subject to any personal liability by reason of the issuance thereof.

(i) The municipality, subject to such agreements with noteholders or bondholders as may then exist, shall have power, out of any funds available therefor, to purchase notes or bonds of the municipality, which shall thereupon be cancelled, at a price not exceeding (1) if the notes or bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date thereof or (2) if the notes or bonds are not then redeemable, the redemption price applicable on the first date after such purchase upon which the notes or bonds become subject to redemption plus accrued interest to such date.

(j) In the discretion of the municipality, the bonds may be secured by a trust indenture by and between the municipality and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the municipality in relation to the exercise of its powers pursuant to this chapter and the custody, safeguarding and application of all moneys. The municipality may provide by such trust indenture for the payment of the proceeds of the bonds and the revenues to the trustee under such trust indenture or other depository, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the operating expenses of the municipality. If the bonds shall be secured by a trust indenture, the bondholders shall have no authority to appoint a separate trustee to represent them.

(k) Whether or not the notes and bonds are of such form and character as to be negotiable instruments under the terms of the Uniform Commercial Code, the notes and bonds are hereby made negotiable instruments within the meaning of and for all purposes of the Uniform Commercial Code, subject only to the provisions of the notes and bonds for registration.

(July Sp. Sess. P.A. 75-2, S. 12, 25; P.A. 89-230, S. 1, 4.)

History: P.A. 89-230 amended Subsec. (c) to provide for forty-year maturity limits for bonds which

finance housing and related facilities.

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**Sec. 7-492. Capital reserve fund established. Petition. Referendum.** (a)(1) The municipality may create and establish a capital reserve fund and shall pay into such capital reserve fund (A) any moneys appropriated and made available by the state or municipality for the purpose of such fund, (B) any proceeds of sale of notes or bonds, to the extent provided in the resolution or resolutions of the municipality authorizing the issuance thereof and (C) any other moneys which may be made available to the municipality for the purpose of such fund from any other source or sources. All moneys held in the capital reserve fund, except as hereinafter provided, shall be used, as required, solely for the payment of the principal of bonds secured by the capital reserve fund as the same mature or the annual sinking fund payments, the purchase or redemption of such bonds, the payment of interest on such bonds or the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity; provided moneys in such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of such fund to less than the maximum capital reserve fund requirement, except for the purposes of paying interest on such bonds, principal of such bonds and annual sinking fund payments, as the same become due and for the payment of which other moneys of the municipality are not available. Any income or interest earned by, or increment to, the capital reserve fund due to the investment thereof or any amount in excess of the maximum capital reserve fund requirement may be transferred by the municipality to other funds or accounts of the municipality established pursuant to this chapter to the extent it does not reduce the amount of the capital reserve fund below the maximum capital reserve fund requirement.

(2) A municipality shall not issue bonds secured by the capital reserve fund at any time if upon issuance the amount in the capital reserve fund will be less than the maximum capital reserve fund requirement, unless the municipality, at the time of issuance of such bonds, shall deposit in such fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in such fund, will not be less than the maximum capital reserve fund requirement.

(3) In computing the amount of the capital reserve fund for the purposes of this section, securities held as a part thereof shall be valued in the manner provided in the resolution or resolutions authorizing the issuance of bonds secured by the capital reserve fund.

(4) In order to further secure bonds and notes secured by a capital reserve fund and to assure order in its budgeting process, a municipality may, if deemed necessary or appropriate in furtherance of the purposes of this chapter, include in the resolution authorizing the issuance of such bonds and notes provision for the municipality to covenant and agree with the holders of such bonds and notes that on or before the first day in April in each year the amount necessary to restore the capital reserve fund to the maximum capital reserve fund requirement, as such amount shall be certified by the treasurer or other officer acting as the chief financial officer of the municipality on or before the first day of December next preceding, shall be paid from the general fund of the municipality and shall constitute a legal pledge, charge and lien upon its income and receipts, and next upon its real property, any general statute, special act or municipal charter or ordinance to the contrary notwithstanding. Such covenant and agreement shall constitute a pledge of the credit and taxing power of the municipality and the holders of bonds and notes so secured shall have the specific right to compel the exercise of the taxing power of the municipality. Any provision of this subdivision to the contrary notwithstanding, any such deficiency in the capital reserve fund

so certified by the treasurer or other such financial officer of the municipality shall be satisfied first from the revenues of the development property specifically pledged to the payment of bonds or notes secured by such capital reserve fund, and no holder of any such bond or note may bring any action, suit or proceeding, in law or equity, nor compel by mandamus or injunction the exercise of the taxing power of the municipality, or forfeiture of its property, unless and until all remedies with respect to such pledged revenues have been exhausted. The substance and extent of such covenant and agreement shall be plainly stated on the face of each note and bond to which it is applicable. All amounts paid over from the general fund of the municipality as provided in this subdivision shall, subject to the rights of the holders of any notes or bonds of the municipality theretofore or thereafter issued, be repaid to the general fund from (A) moneys in a capital reserve fund in excess of the maximum capital reserve fund requirement, (B) any revenues not required for any other of the purposes of this chapter and (C) proceeds from the sale or other disposition of the development property acquired from the proceeds of bonds and notes secured by such capital reserve fund. Within fourteen days after the adoption of a resolution pursuant to this subdivision, the resolution or a summary of such resolution shall be published in a newspaper having a general circulation within the municipality in which such resolution was adopted. If, within thirty days of such publication, five per cent of the electors of such municipality, who are registered as electors on the last completed, revised registry list of such municipality, file with the clerk of such municipality a petition requesting a referendum with respect to such resolution, the question of approval of such resolution shall be submitted to the electors of such municipality at a special election called for such purpose to be held not less than thirty days, nor more than sixty days, after the filing of such petition, in conformity with the provisions of section 9-369, or if a regular municipal election is to be held more than sixty days, but not more than one hundred twenty days, after the filing of such petition, such question shall be so submitted at such regular election and a vote thereon shall be taken in the manner prescribed by said section 9-369. If a majority of those voting in any such referendum shall vote to approve such resolution, such resolution shall thereupon become effective. If less than a majority of those voting in any such referendum vote to approve such resolution, such resolution shall be null and void. If no such petition is filed within thirty days after the publication of the newspaper notice of adoption of any such resolution, the municipal clerk shall verify that fact to the legislative body of the municipality and such resolution shall thereupon become effective.

(5) Notwithstanding any other provisions contained in this chapter, the aggregate amount of bonds secured by such capital reserve funds authorized to be created and established by this section and by such covenant and agreement of the municipality as set forth in this section shall be included in the debt of the municipality as defined in subdivision (1) of subsection (b) of section 7-374, and shall be subject to the limitations on such debt and on total debt set forth in said subsection (b) of section 7-374, and the aggregate amount of such bonds shall not exceed five per centum of the grand list, as defined in section 7-374, and the proceeds of such bonds shall not be used for residential housing development property, except where such residential housing development property is a part of an undertaking designed to accomplish or further one or more purposes of this chapter in addition to the purpose of residential housing. No bonds shall be secured by a capital reserve fund unless the municipality by resolution or resolutions finds and determines that revenues derived from development property financed from the proceeds of such bonds shall be sufficient (A) to pay the applicable principal of and interest on such bonds, (B) to establish, maintain and increase any reserves deemed by the municipality to be advisable to secure the payment of the principal of and interest on such bonds, (C) unless the contract with the governmental unit or sponsor obligates the governmental unit or sponsor to pay for the maintenance and insurance of such property, to pay the cost of maintaining such property in good repair and keeping it properly insured and (D) to pay such other costs of such property as may be required, and further, in the case of sponsors, that such sponsor is found by the municipality to be financially responsible and presumptively able to comply with the terms and conditions of any lease, conditional sale or credit agreement or loan agreement, agreement of sale, mortgage or other agreement as made by it with the municipality with respect to such property.

(b) The municipality may create and establish such other fund or funds, including other capital reserve funds with the same force and effect and upon the same terms and conditions and subject to the same limitations as provided in subsection (a) of this section, as may be necessary or desirable in furtherance of the purposes of this chapter.

(July Sp. Sess. P.A. 75-2, S. 13, 25.)

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**Sec. 7-493. Bonds and notes to be special obligation of municipality. Applicability of statutory debt limitation.** Bonds and notes issued pursuant to this chapter shall be special obligations of the municipality and shall not be payable from nor charged upon any funds other than the revenues pledged to the payment thereof, nor shall the municipality issuing the same be subject to any liability thereon except to the extent of such pledged revenues. No holder or holders of any bonds or notes shall have the right to compel any exercise of the taxing power of the municipality to pay any bonds or notes or the interest thereon, nor to enforce payment thereon against any property of the municipality except the development property mortgaged or otherwise encumbered under the provisions and for the purposes of this chapter. The bonds and notes shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the municipality, except the development property mortgaged or otherwise encumbered under the provisions and for the purposes of this chapter. The substance of such limitation shall be plainly stated on the face of each bond and note, with appropriate modification in the case of bonds and notes secured by the covenant and pledge of a municipality to restore the capital reserve fund to the maximum capital reserve fund requirement. The foregoing provisions of this section shall be subject to the provisions of section 7-492 when applicable, including particularly the provisions of said section with respect to notes and bonds secured by such covenant and pledge of a municipality, and all bonds and notes so secured shall be disclosed and listed in all reports made or required in connection with any indebtedness of the municipality which is subject to any statutory limitation. Except as otherwise provided in subdivision (5) of subsection (a) of section 7-492, bonds and notes issued pursuant to this chapter shall not be subject to any statutory limitation on the indebtedness of the municipality and such bonds and notes when issued shall not be included in computing the aggregate indebtedness of the municipality in respect to and to the extent of any such limitation.

(July Sp. Sess. P.A. 75-2, S. 14, 25.)

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**Sec. 7-494. Municipal moneys to be deposited in separate accounts. Annual audits.** (a) All moneys of a municipality derived in furtherance of the purposes of this chapter, except as otherwise authorized or provided in this chapter, shall be deposited as soon as practicable in a separate account or accounts in banks or trust companies organized under the laws of the state or in national banking associations doing business in the state. The moneys in such accounts shall be paid out on checks signed by such officer or employee of the municipality as the municipality shall authorize. All deposits of such moneys shall, if required by the municipality, be secured by obligations of the United States of America or

of the state or of the municipality of a market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give such security for such deposits. Notwithstanding the provisions of this section, a municipality shall have power to contract with the holders of any of its notes or bonds as to the custody, collection, securing, investment and payment of any moneys of the municipality derived in furtherance of the purposes of this chapter and of any moneys held in a trust or otherwise for the payment of notes or bonds, and to carry out such contract. Moneys held in trust or otherwise for the payment of notes or bonds or in any way to secure notes or bonds and deposits of such moneys may be secured in the same manner as moneys of the municipality, and all banks and trust companies are authorized to give such security for such deposits.

(b) Subject to the provisions of any contract with noteholders and bondholders, a municipality issuing notes or bonds pursuant to this chapter shall prescribe a system of accounts. All such accounts shall be kept separate from other accounts of the municipality and shall be used for the purposes of this chapter and for no other purpose.

(c) All accounts of a municipality established in furtherance of the purposes of this chapter shall be annually audited by an independent certified public accountant, and a report of such audit and the books and records of the municipality kept with respect to any action taken or account established under this chapter, including books and records pertaining to its receipts, disbursements, contracts, reserve funds, sinking funds and investments, shall be open to public inspection.

(July Sp. Sess. P.A. 75-2, S. 15, 25.)

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**Sec. 7-495. Municipal default or noncompliance. Appointment of trustee.** (a) In the event that a municipality shall default in the payment of principal of or interest on any issue of notes or bonds after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that a municipality shall fail or refuse to comply with the provisions of this chapter, or shall default in any agreement made with the holders of any issue of notes or bonds, the holders of twenty-five per cent in aggregate principal amount of the notes or bonds of such issue then outstanding, by instrument or instruments filed in the office of the clerk of such municipality and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of such notes or bonds for the purposes herein provided.

(b) Such trustee may, and upon written request of the holders of twenty-five per cent in principal amount of such notes or bonds then outstanding shall, in his or its own name: (1) By suit, action or proceeding in accordance with the general statutes enforce all rights of the noteholders or bondholders, including the right to require the municipality to carry out any agreement with such holders and to perform its duties under this chapter; (2) bring suit upon such notes or bonds; (3) by action or suit, require the municipality to account as if it were the trustee of an express trust for the holders of such notes or bonds; (4) by action or suit, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such notes or bonds; (5) declare all such notes or bonds due and payable, and if all defaults shall be made good, then, with the consent of the holders of twenty-five per cent of the principal amount of such notes or bonds then outstanding, annul such declaration and its consequences.

(c) The Superior Court shall have jurisdiction of any suit, action or proceeding by the trustee on behalf

of such noteholders or bondholders. The venue of any such suit, action or proceeding shall be laid in the municipality against which any such remedy is sought.

(d) Before declaring the principal of notes or bonds due and payable, the trustee shall first give thirty days' notice in writing to the municipality.

(July Sp. Sess. P.A. 75-2, S. 16, 25.)

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**Sec. 7-496. Notes and bonds made securities.** The notes and bonds of municipalities are hereby made securities in which all public officers and bodies of this state and all municipalities and municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, bankers, trust companies, savings banks and savings associations, including savings and loan associations, investment companies and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or in other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them. The notes and bonds are also hereby made securities which may be deposited with and may be received by all public officers and bodies of the state and all municipalities for any purpose of which the deposit of bonds or other obligations of the state is now or may hereafter be authorized.

(July Sp. Sess. P.A. 75-2, S. 17, 25; P.A. 80-483, S. 22, 186.)

History: P.A. 80-483 deleted reference to building and loan associations.

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**Sec. 7-497. Income from notes and bonds tax-exempt; exception.** It is hereby determined that the powers conferred upon municipalities by this chapter are in all respects for the benefit of the people of the state and for the improvement of their health, safety, welfare, comfort and security, and that the purposes of this chapter are public purposes and that municipalities will be performing an essential governmental function in the exercise of the powers conferred upon them by this chapter. The state covenants with the purchasers and all subsequent holders and transferees of notes and bonds issued by a municipality, in consideration of the acceptance of and payment for the notes and bonds, that the notes and bonds of the municipality issued pursuant to this chapter and the income therefrom shall at all times be free from taxation, except for estate and gift taxes and taxes on transfers. Municipalities are authorized to include this covenant of the state in any agreement with the holder of such notes or bonds.

(July Sp. Sess. P.A. 75-2, S. 18, 25.)

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**Sec. 7-498. Development property may be tax-exempt.** Any development property may be exempted from any property tax imposed by the municipality; provided any municipality may enter into an agreement, approved by resolution, providing for a payment or payments in lieu of taxes with respect to any such property, or providing that any such property is subject to all or any portion of local property taxes. In no case shall development property be exempt in whole or in part from such property tax for a period or periods, in the aggregate, in excess of twenty years. This section shall not affect, modify, alter or invalidate any agreement entered into by any municipality prior to August 8, 1975, relating to local property taxes to be paid on any municipally owned property.

(July Sp. Sess. P.A. 75-2, S. 19, 25; P.A. 84-428, S. 3, 4.)

History: P.A. 84-428 amended the description of development property, which may be exempt from property tax, by deleting the condition that such property must be owned by a municipality to be so exempted.

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**Sec. 7-499. Agreement with bond holders.** The state does hereby pledge to and agree with the holders of any notes or bonds that the state will not limit or alter the rights hereby vested in a municipality to fulfill the terms of any agreements made with said holders thereof, or in any way impair the rights and remedies of such holders until such notes and bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. A municipality is authorized to include this pledge and agreement of the state in any agreement with the holders of such notes or bonds.

(July Sp. Sess. P.A. 75-2, S. 20, 25.)

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**Sec. 7-500. Exclusive procedure for issuance of bonds.** Notwithstanding the provisions of any other general statute, special act, municipal charter or ordinance to the contrary, no proceedings, notice or approval shall be required for the issuance of any bonds or notes or any instrument as security therefor, except as provided by sections 7-491 to 7-499, inclusive.

(July Sp. Sess. P.A. 75-2, S. 21, 25.)

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**Sec. 7-501. Competitive or public bidding requirements.** This chapter shall not supersede any provision of any general statute, special act, municipal charter or ordinance with regard to competitive or public bidding for the sale, lease or other disposition of property or for the award of contracts for demolition, construction or rehabilitation, except that any contract or agreement for the disposition of any interest by a municipality, or a governmental unit or nonprofit corporation to which a municipality has delegated powers under the provisions of section 7-486, in development property and any contract or agreement relative to the improvement of development property, the construction of improvements thereon or the rehabilitation thereof, which is entered into by a municipality, or a governmental unit or nonprofit corporation to which a municipality has delegated powers under the provisions of section 7-486, with a sponsor who is going to use or occupy such development property, may be entered into without regard to any such requirement.

(July Sp. Sess. P.A. 75-2, S. 22, 25.)

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**Sec. 7-502. Applicability of payment bond, prevailing wage and other employee benefit laws.** (a) The provisions of section 31-53 shall apply to contractual arrangements for the construction, reconstruction or rehabilitation of development property.

(b) The provisions of sections 49-41 to 49-43, inclusive, shall apply to any construction, reconstruction or rehabilitation of development property undertaken by a municipality or a governmental unit or nonprofit corporation to which a municipality has delegated powers pursuant to section 7-486.

(c) The provisions of sections 7-467 to 7-473c, inclusive, 7-474 to 7-477, inclusive, and of chapter 561 and any provisions of any special act, municipal charter or ordinance granting to employees rights of organization, representation and collective bargaining shall apply to any powers exercised or actions undertaken pursuant to this chapter by a municipality or a governmental unit or nonprofit corporation to which a municipality has delegated powers pursuant to section 7-486.

(July Sp. Sess. P.A. 75-2, S. 23, 25.)

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**Sec. 7-503. Chapter grants no authority for municipality to acquire, own, develop or improve real property outside its borders.** Nothing in this chapter shall be construed to give authority to a municipality to proceed under this chapter to acquire, own, develop or otherwise improve real property outside of its own borders.

(July Sp. Sess. P.A. 75-2, S. 24, 25.)

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Original of Record

2015 JUL 20 A 8:32

TOWN CLERK
EAST HARTFORD

TOWN COUNCIL MAJORITY OFFICE

PERSONNEL AND PENSIONS SUBCOMMITTEE

JULY 13, 2015

PRESENT Marc Weinberg, Chair; Councillors Ram Aberasturia and Anita Morrison (arrived 5:34 p.m.)

ALSO PRESENT Marcia Leclerc, Mayor
Santiago Malave, Human Resources Director
Greg Grew, Director, Inspections & Permits Director

CALL TO ORDER

Chair Weinberg called the meeting to order at 5:31 pm.

APPROVAL OF MINUTES

January 15, 2015

MOTION By Ram Aberasturia
seconded by Marc Weinberg
to approve the minutes of the January 15, 2015 meeting.
Motion carried 2/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

None

OLD BUSINESS

None

NEW BUSINESS

Assistant Building Officials:

New Job Description: Assistant Building Official 1-General

Gregg Grew led a discussion on the reasons for this new position. It is being created in order to meet the needs of the department. This position will perform property maintenance inspections and other inspections which can be assigned to a licensed Assistant Building Official pursuant to Connecticut General Statutes. When referred to the Town Council, this position was slotted as a grade 9. Through the recommendation of the

union (CSEA Local 2001) and the concurrence of the Administration, the pay grade was revised as a grade 10.

MOTION By Ram Aberasturia
seconded by Anita Morrison
to **recommend** that the Town Council approve the new job description entitled Assistant Building Official 1, salary grade 10, as described and attached to a memo from Santiago Malave, Human Resources Director to Marcia Leclerc, Mayor dated July 13, 2015.
Motion carried 3/0.

Revised Job Description – Assistant Building Official and Assistant t Building Official 2

Santiago Malave explained that most of the revisions to this description were to make the position ADA compliant and to update the qualifications profile. The pay grade remains a grade 11.

MOTION By Ram Aberasturia
seconded by Anita Morrison
to recommend that the Town Council approve the revised job descriptions for Assistant Building Official 2, salary grade 11, and Assistant Building Official, which is the current job description with tracking changes, as described and attached to a memo from Santiago Malave, Human Resources Director to Marcia Leclerc, Mayor dated June 8, 2015.
Motion carried 3/0.

ADJOURNMENT

MOTION By Ram Aberasturia
seconded by Anita Morrison
to **adjourn** (5:55 p.m.)
Motion carried 3/0.

Cc: Town Council
Mayor Leclerc
Santiago Malave, Human Resources Director
Gregg Grew, Inspections & Permits Director

# OFFICE OF HUMAN RESOURCES

Date : July 13, 2015

To : Marc Weinberg, Personnel and Pension Subcommittee Chairman

From : Santiago Malave, Human Resources Director

Re : Assistant Building Official 1 - General

The CSEA, Local No. 200 Union has proposed to the Town a change from Salary Grade nine (9) for the new Assistant Building Official 1 - General (ABO) Job Classification. The Town is agreeable to the change from Grade Nine (9), $49, 097 (min.) - $59, 678 (max.), to Grade Ten (10) $52,481 (min.) - $63,794 (max.).

The Inspections and Permits Department currently has a budgeted vacant Property Maintenance Inspector position, salary Grade Nine (9) it does not plan to refill. The salary saving from that position and anticipated time it will take to recruit and fill this new ABO position will generate sufficient savings to cover the payroll cost for fiscal year 15-16. Additionally, the higher salary will be more competitive for recruitment purposes.

The Assistant Building Official 1- General JD is a new position that is being created in order to meet the needs of the department. This position will perform property maintenance inspections and also will be assigned to perform other inspections which can be assigned to a Licensed Assistant Building Official pursuant to Connecticut General Statute, Section 29-261.

This change in salary grade should be reviewed by the Personnel and Pension Subcommittee and recommended for Council approval at the next Town Council meeting.

CC: Marcia A. Leclerc, Mayor
Milton Grew, Director of Inspections and Permits

# TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: July 28, 2015

TO: Richard F. Kehoe, Chair

FROM: Mayor Marcia A. Leclerc

RE: Real Estate Acquisition and Disposition Committee-Disposition of Columbus Circle Extension.

---

I have received a request from the East Hartford Housing Authority to discontinue Columbus Circle Extension, a town road, and convey said road to the Housing Authority.

Attached is correspondence outlining the Housing Authority's request to discontinue Columbus Circle Extension as part of their plan to redevelop Veteran's Terrace.

I would like to refer this disposition to the Town Council's Real Estate Acquisition and Disposition Committee for review and appropriate action.

Please place on the Town Council agenda for the August 4, 2015 Town Council meeting.

Thank you.

C: M. Walsh, Finance Director
R. Gentile, Assistant Corporation Counsel

Development Department
Memorandum

TO: Mayor Marcia A. Leclerc

FROM: Eileen Buckheit ECB

RE: Veterans Terrace Redevelopment

DATE: July 24, 2015

Please find attached, a request from the East Hartford Housing Authority to be placed on the August 4th Town Council agenda for the purposes of discussing their renovation plans for Veterans Terrace.

The plans will involve an overall upgrade of their buildings, entrances, and handicapped compliance. A more extensive redevelopment of the southern portion of the site will consist of demolition of several current structures, relocation of utility buildings, and the addition of common areas and a play area for children. The parking configuration will also be altered in order to provide more security for the residents.

To this end, the EHHA is requesting an abandonment of Columbus Circle Extension which is located in the southern portion of the site. Due to timing issues, the EHHA is further requesting authorization from the Town Council to proceed with their various land use approvals before the property transfer is completed.

Representatives of the EHHA will be present at the meeting to answer questions.

Thank you for your consideration.

**East Hartford Housing Authority**
546 Burnside Ave, East Hartford, CT 06108

Main Office
860-290-8301

Maintenance\24 Hour Emergency
860-290-8300

TDD 1-800-545-1833 ext 216

Finance Dept Fax
860-290-8308

Leasing Dept Fax
860-289-1688

www.ehhousing.org

July 23, 2015

Eileen Buckheit
Development Director
Town of East Hartford
740 Main Street
East Hartford, CT 06108

Dear Eileen Buckheit:

As you are aware, the East Hartford Housing Authority is planning on undertaking a substantial redevelopment project at our Veteran's Terrace property located in the Town of East Hartford.

The East Hartford Housing Authority would like to put in a formal request to the Town to abandon the street know as Columbus Circle Extension. Currently, the road only serves the Veteran's Terrace development and all utilities such as electricity and water lines provided by the street only serve the residents of Veteran's Terrace.

The Housing Authority would like the opportunity to present the Veteran's Terrace redevelopment plan to the Town Council at their next meeting on August 4, 2015 as part of the approval process.

Additionally, we are asking for authorization to pursue municipal land use approvals while we negotiate the transfer of the property.

If you have any questions or need further information, please contact me directly at (860) 290-8301 x124. I look forward to hearing your response to our request.

Sincerely,

Debra Bouchard
Executive Director

cc: Ellyn Laramie

ROBERT N KEATING CHAIRMAN | PRESCILLE YAMAMOTO VICE CHAIRMAN | HAZELANN B COOK COMMISSIONER | JOHN CARELLA COMMISSIONER | JAMES PATTERSON COMMISSIONER | DEBRA BOUCHARD EXECUTIVE DIRECTOR | RALPH J ALEXANDER LEGAL COUNSEL

EQUAL HOUSING OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

# TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: July 28, 2015

TO: Richard F. Kehoe, Chair

FROM: Mayor Marcia A. Leclerc

RE: REFERRAL-Real Estate Acquisition Committee, 53 Chester Street

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Attached is the property card for 53 Chester Street, a property owned by the Town. In addition please find the property card and a letter from Habitat for Humanity expressing interest in the property.

I would like to refer this property to the Town Council's Real Estate Acquisition and Disposition Committee for review and appropriate action.

Please place on the Town Council agenda for the August 4, 2015 Town Council meeting.

Thank you.

C: M. Walsh, Finance Director
R. Gentile, Assistant Corporation Counsel

# MEMORANDUM

**DATE:** July 2, 2015

**TO:** Marcia A. Leclerc, Mayor

**FROM:** Michael P. Walsh, Director of Finance

**TELEPHONE:** (860) 291-7246

**RE:** **Referral to Town Council Subcommittee Real Estate Acquisition and Disposition – 53 Chester Street**

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By way of this memo, let me request a referral of 53 Chester Street to the Town Council Subcommittee Real Estate Acquisition and Disposition.

Related to the issue, attached please find the property card and a letter from Habitat for Humanity expressing an interest in the property.

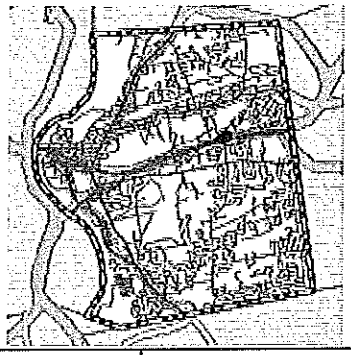
Please contact me if you have any questions or problems on any of the aforementioned information.

# Town of East Hartford Property Summary Report

## 53 CHESTER ST

| | | | |
|---|---|---|---|
| **MAP LOT:** | 46-59 | **CAMA PID:** | 2555 |
| **LOCATION:** | 53 CHESTER ST | | |
| **OWNER NAME:** | TOWN OF EAST HARTFORD | | |

| **OWNER OF RECORD** |
|---|
| TOWN OF EAST HARTFORD<br><br>740 MAIN ST<br><br>EAST HARTFORD, CT 06108 |



| | | | | | |
|---|---|---|---|---|---|
| **LIVING AREA:** | null | **ZONING:** | R3 | **ACREAGE:** | 1.75 |

**SALES HISTORY**

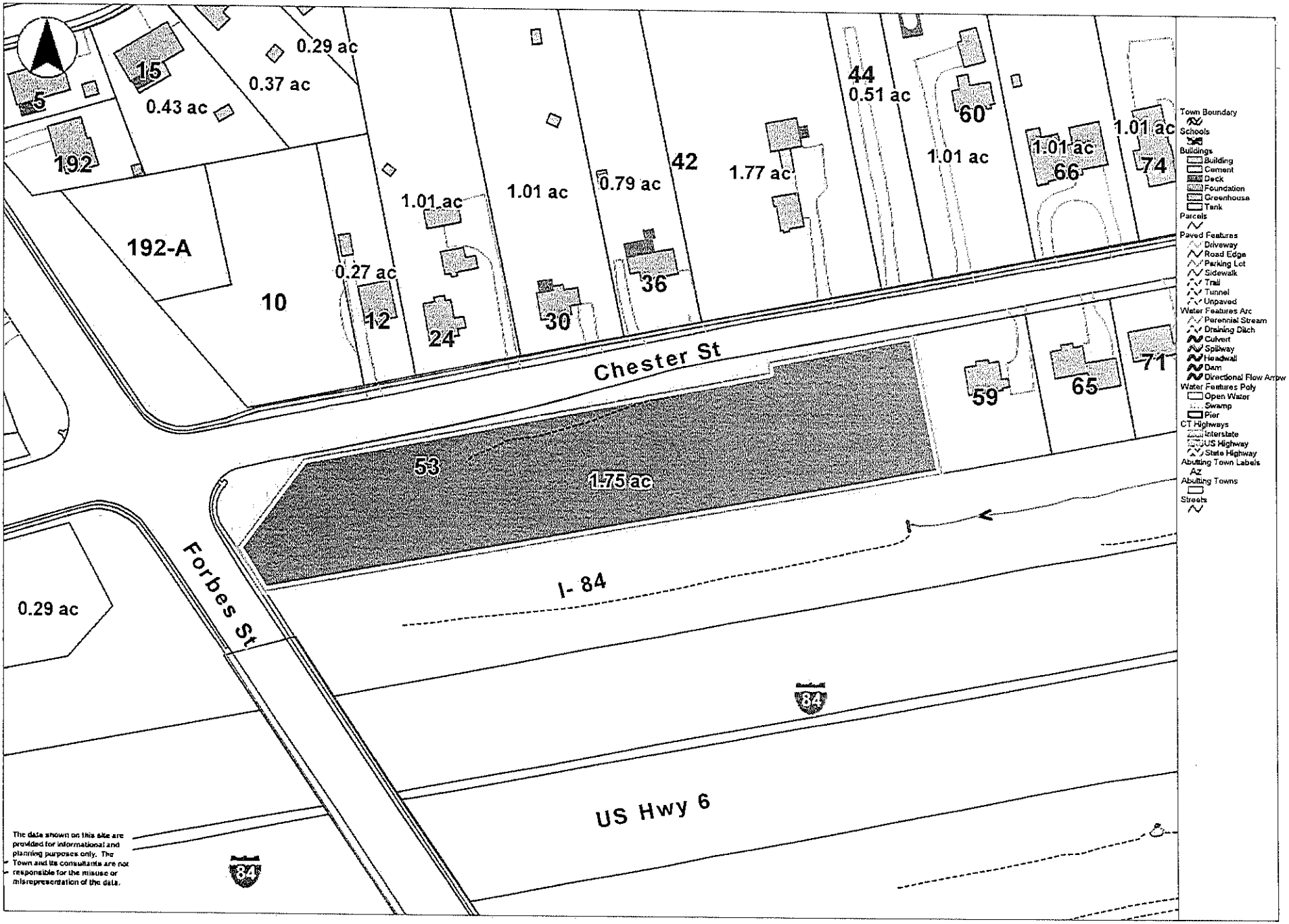
| OWNER | BOOK / PAGE | SALE DATE | SALE PRICE |
|---|---|---|---|
| TOWN OF EAST HARTFORD | 1350/ 276 | 08-Oct-1991 | $0.00 |
| STATE OF CONNECTICUT | 401/ 117 | 01-Jan-1900 | $0.00 |

**CURRENT PARCEL ASSESSMENT**

| | | | | | |
|---|---|---|---|---|---|
| **TOTAL:** | $7,610.00 | **IMPROVEMENTS:** | $0.00 | **LAND:** | $7,610.00 |

**ASSESSING HISTORY**

| FISCAL YEAR | TOTAL VALUE | IMPROVEMENT VALUE | LAND VALUE |
|---|---|---|---|
| 2014 | $7,610.00 | $0.00 | $7,610.00 |
| 2013 | $7,610.00 | $0.00 | $7,610.00 |
| 2012 | $7,610.00 | $0.00 | $7,610.00 |
| 2011 | $7,610.00 | $0.00 | $7,610.00 |
| 2010 | $7,220.00 | $0.00 | $7,220.00 |




The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 160 320 ft

Printed on 07/02/2015 at 11:12 AM

East Hartford MapsOnline

Hartford Area
Habitat
for Humanity®

CELEBRATING 25 YEARS CHANGING LIVES

P.O. Box 1933
Hartford, CT 06144-1933
Phone: 860-541-2208
Fax: 860-541-2211
www.hartfordhabitat.org

June 24, 2015

The Honorable Marcia Leclerc
Mayor of the Town of East Hartford
740 Main Street
East Hartford, CT 06108

Dear Mayor Leclerc:

RE: 53 Chester Street

This letter is to express our interest in developing eight affordable, single family homes on this vacant property. These homes would be Cape Cod-style three –bedroom homes which would fit in nicely in the neighborhood.

We are proud of our twenty-five year record of providing affordable homeownership opportunities to families of limited means in Hartford County. We have completed over 220 homes for first-time homebuyers and changed their lives in a meaningful way.

We would be happy to provide additional details of our plans upon request.

Sincerely,

Karraine Moody
Executive Director

*Building More Than a House*

# TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: July 28, 2015

TO: Richard F. Kehoe, Chair

FROM: Mayor Marcia A. Leclerc

RE: REFUND OF TAXES

---

I recommend that the Town Council approve a total refund of taxes in the amount of $6,510.87 as detailed in the attached listing from our Assistant Collector of Revenue.

Please place on the Town Council agenda for the August 4, 2015 Town Council meeting.

Cc: I. Laurenza, Tax Collector
M. Walsh, Finance Director

# INTEROFFICE MEMORANDUM

**TO:** MARCIA A LECLERC, MAYOR
MICHAEL WALSH, DIRECTOR OF FINANCE

**FROM:** IRIS LAURENZA, COLLECTOR OF REVENUE
KRISTY FORAN, ASSISTANT COLLECTOR OF REVENUE

**SUBJECT:** REFUND OF TAXES

**DATE:** 7/20/2015

---

Under the provisions of Section 12-129 of the Connecticut General Statutes, the following persons are entitled to the refunds as requested. The total amount to be refunded is $6,510.87 Please see attached listing.

| Bill | Name | Address | Prop Loc/Vehicle Info. | Over Paid |
|---|---|---|---|---|
| 2013-03-0054963 | BUTLER ELISA L | 80 WINDWARD DR COVINGTON GA 30014 | 2007/3N1BC13E87L369010 | -63.33 |
| 2013-03-0056535 | CHOQUETTE GREGORY S AND | 536 FOREST ST E HARTFORD CT 06118-2035 | 2002/1GNDT13S822369005 | -7.00 |
| 2013-01-0007593 | CORELOGIC TAX SERVICE<br>ATTN: REFUND DEPARTMENT | PO BOX 961250 FT WORTH TX 76161-0250 | 6 DEPAUW CIR | -68.10 |
| 2013-01-0011855 | CORELOGIC TAX SERVICE<br>ATTN: REFUND DEPARTMENT | PO BOX 961250 FT WORTH TX 76161-0250 | 70-72 CLOVERDALE DR | -101.24 |
| 2013-03-0059863 | DINEEN JOSE L AND | 16 KIRKWOOD DR E HARTFORD CT 06118-1310 | 2007/5FNRL38637B456000 | -40.30 |
| 2014-01-0008084 | LAGUEUX MARIO R | 27 BEL-AIR DR BRISTOL CT 06010 | 72 BURKE ST | -205.66 |
| 2012-01-0012675 | LERETA LLC | 1123 PARK VIEW DR COVINA CA 91724 | 149 KING ST | -782.30 |
| 2014-03-0080618 | RODRIGUEZ FRANKIE | 6 DEPAUW CIR E HARTFORD CT 06108-1315 | 1990/1HGED3S56LA060817 | -29.57 |
| 2014-03-0081323 | ROWLEY DEANNA L OR | 30 FELLOWS LN E HARTFORD CT 06108-1678 | 2000/1J4FF48S5YL107278 | -23.43 |
| 2013-03-0086415 | USB LEASING LT | 1850 OSBORN AVE OSHKOSH WI 54902 | 2011/W04GP5EC5B1054590 | -357.58 |
| 2014-03-0086735 | VARGAS NEREIDA | 21 NATICK ST UNIT 1 HARTFORD CT 06106 | 1990/JH4DB1669LS031719 | -59.71 |
| 2012-01-0010779 | WELLS FARGO | PO BOX 14506<br>CASH MAC X230204D DES MOINES IA 50306 | 69-71 ADAMS ST | -2346.24 |
| 2013-01-0010779 | WELLS FARGO | PO BOX 14506<br>CASH MAC X230204D DES MOINES IA 50306 | 69-71 ADAMS ST | -2426.41 |
| **TOTAL** | | | | **$ (6,510.87)** |

MARCIA A. LECLERC
MAYOR

SCOTT M. SANSOM
CHIEF OF POLICE

# TOWN OF EAST HARTFORD

## Police Department

31 School Street
East Hartford, Connecticut 06108-2638

TELEPHONE
(860) 528-4401

FAX (860) 289-1249

www.easthartfordct.gov

July 7, 2015

Richard F. Kehoe, Chairman
East Hartford Town Council
740 Main Street
East Hartford, CT 06108

**Re: Outdoor Amusement Permit Application**
**Believe 208 Run for the Brave and Finest**

Dear Mr. Kehoe:

Attached please find an Outdoor Amusement Permit Application submitted by **Kathryn Carbone, its Race Director.** The applicant seeks to conduct a **5K Run** on **Sunday, September 20, 2015** from **8:30 AM to 9:30 AM.** The race will begin at the Knights of Columbus (Main Street) and into South Windsor, northbound on Main Street, and return southbound on Main Street. There will be music and food at the event.

The applicant respectfully **requests a waiver of the associated permit fee,** under the provisions of (TO) 5-6(a), due to the Town of East Hartford as this is a fundraising event.

Pursuant to Town Ordinance (TO) 5-3, a review of the application was completed by the Directors of the Fire, Health, Parks & Recreation, Public Works Departments and the Offices of the Corporation Counsel and Finance.

The **Office of Corporation Counsel** approves the application as submitted and states it will require a License Agreement.

The **Risk Management Department** approves the application as submitted.

The **Health, Fire**, and **Parks & Recreation Departments** approve the application as submitted and state there are **no anticipated costs to their Departments** for this event.

The **Public Works Department** recommends the application be approved subject to the following:

- The applicant must obtain authorization from the appropriate jurisdictions for road closures associated with this event.
- **The anticipated cost to the department is $1,800.00.**

The **Police Department** approves the application as submitted and states that the anticipated/estimated **cost to the Department for this event is $1,600.00.**

Respectfully submitted for your information.

Sincerely,

Scott M. Sansom
Chief of Police

# TOWN OF EAST HARTFORD POLICE DEPARTMENT

Marcia A. Leclerc
Mayor

OUTDOOR AMUSEMENT PERMITS
31 SCHOOL STREET
EAST HARTFORD, CT 06108-2638
(860) 528-4401

## OUTDOOR AMUSEMENT PERMIT APPLICATION

Scott M. Sansom
Chief of Police

**THIS APPLICATION IS DUE NOT LESS THAN 30 DAYS PRIOR TO THE EVENT APPLIED FOR**

1. Name of Event:

   Believe 208 Run for the Brave and Finest

2. Date(s) of Event:

   Sunday, September 20, 2015

3. Applicant's name, home & work phone numbers, home address, and e-mail address (NOTE: If applicant is a partnership, corporation, limited liability company, club or association give the full legal name of the Applicant ) :

   Kathryn Carbone, Race Director
   19 Redbud Lane, Glastonbury CT 06033
   H: 203-313-0832 W: 860-512-2795

4. If Applicant is a partnership, corporation, limited liability company , club, or association, list the names of all partners, members, directors and officers AND provide their business address.

5. List the location of the proposed amusement: (Name of facility and address)

   1831 Main St to the South Windsor Town Line

6. List the dates and hours of operation for each day (if location changes on a particular day, please list):

   September 20, 2015 0830 to 0930 AM

7. Provide a detailed description of the proposed amusement:

   Believe 208: Run for the Brave & Finest is a 5k race in memory of East Hartford Police Officer Paul Buchanan. Also see attached.

8. Will music or other entertainment be provided wholly or partially outdoors?

☑ Yes ☐ No

a. If 'YES,' during what days and hours will music or entertainment be provided (note: this is different from hours of operation)? 0830 to 1200 at K of C

9. What is the expected age group(s) of participants?

4-70

10. What is the expected attendance at the proposed amusement:
(If more than one performance, indicate time / day / date and anticipated attendance for each.)

250-500

11. Provide a detailed description of the proposed amusement's anticipated impact on the surrounding community. Please comment on each topic below:

a. Crowd size impact:

Road closure Ellington Rd & Main St to Old Main St South Windsor

b. Traffic control and flow plan at site & impact on surrounding / supporting streets:

EHPD will open north bound to south bound as runners complete course.

c. Parking plan on site & impact on surrounding / supporting streets:

Parking will be at the Knights of Columbus. No parking on Main St.

d. Noise impact on neighborhood:

Minimal

e. Trash & litter control plan for the amusement site and surrounding community during and immediately after the proposed amusement:

Trash will be picked up by volunteers.

f. List expected general disruption to neighborhood's normal life and activities:

Minimal traffic delays for Passaro Dr and Main St approx. 35-45 minutes max

g. Other expected influence on surrounding neighborhood:

None

12. Provide a detailed plan for the following:

a. Accessibility of amusement site to emergency, police, fire & medical personnel and vehicles:
Onsite

b. Provisions for notification of proper authorities in the case of an emergency:
volunteers with cell phones

c. Any provision for on-site emergency medical services:
EHFD onsite

d. Crowd control plan:
N/A

e. If on town property, the plan for the return of the amusement site to pre-amusement condition:
Cones and Trash will be picked up by volunteers

f. Provision of sanitary facilities:
Facilities provided by K of C

13. Will food be provided, served, or sold on site:
Prewrapped
Food available ☑ Yes ☐ No AND contact has been made with the East Hartford Health Department ☐ Yes ☐ No.

14. Does the proposed amusement involve the sale and/or provision of alcoholic beverages to amusement attendees,

☐ Yes ☑ No Alcoholic beverages will be served / provided.

If 'YES', describe, in detail, any and all arrangements and what procedures shall be employed:

a. For such sale or provision,

b. To ensure that alcohol is not sold or provided to minors or intoxicated persons.

☐ Check if copy of the liquor permit, as required by State law, is included with application.

15. Include any other information which the applicant deems relevant (ie: time waivers and fee waiver requests should go here): As this is a fundraiser, we request a waiver of the associated permit fee.

CGS Sec. 53a-157. False Statement: Class A Misdemeanor.

A person is guilty of False Statement when he intentionally makes a false written statement under oath or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable, which he does not believe to be true and which statement is intended to mislead a public servant in the performance of his official duties.

a. False Statement is a Class A Misdemeanor.

b. The penalty for a Class A Misdemeanor is imprisonment for a term not to exceed one (1) year, or a fine not to exceed $1,000, or both a fine and imprisonment.

I declare, under the penalties of False Statement, that the information provided in this application is true and correct to the best of my knowledge:

Kathryn Carbone
(Legal Name of Applicant)

(Applicant Signature)

Kathryn Carbone
(Printed Name)

06/11/15
(Date Signed)

Race Director
(Capacity in which signing)

(Send application electronically to cfrank@easthartfordct.gov)

FOR OFFICE USE

| | | |
|---|---|---|
| Insurance Certificate Included: | ☑ YES | ☐ NO |
| Liquor Permit Included: | ☐ YES | ☑ NO } N/A |
| Certificate of Alcohol Liability Included: | ☐ YES | ☑ NO } N/A |
| Time Waiver Request Included: | ☐ YES | ☑ NO |
| Fee Waiver Request Included: | ☑ YES | ☐ NO |

Received By: Carol Stark

Employee Number. 9019

Date & Time Signed: June 11, 2015 9:43 AM ~~PM~~

Time remaining before event: 30+ days.

If roads or sidewalks will be closed to public use as a result of this event the applicant must comply with signage requirements per Section 5-4 and present a signed affidavit attesting to this at the Town Council meeting.

Question #7

About this Event

RUN FOR THE BRAVE & FINEST! 5K RUN BENEFITING PROJECT B.L.U.E 208

In Memory of Officer Paul Buchanan

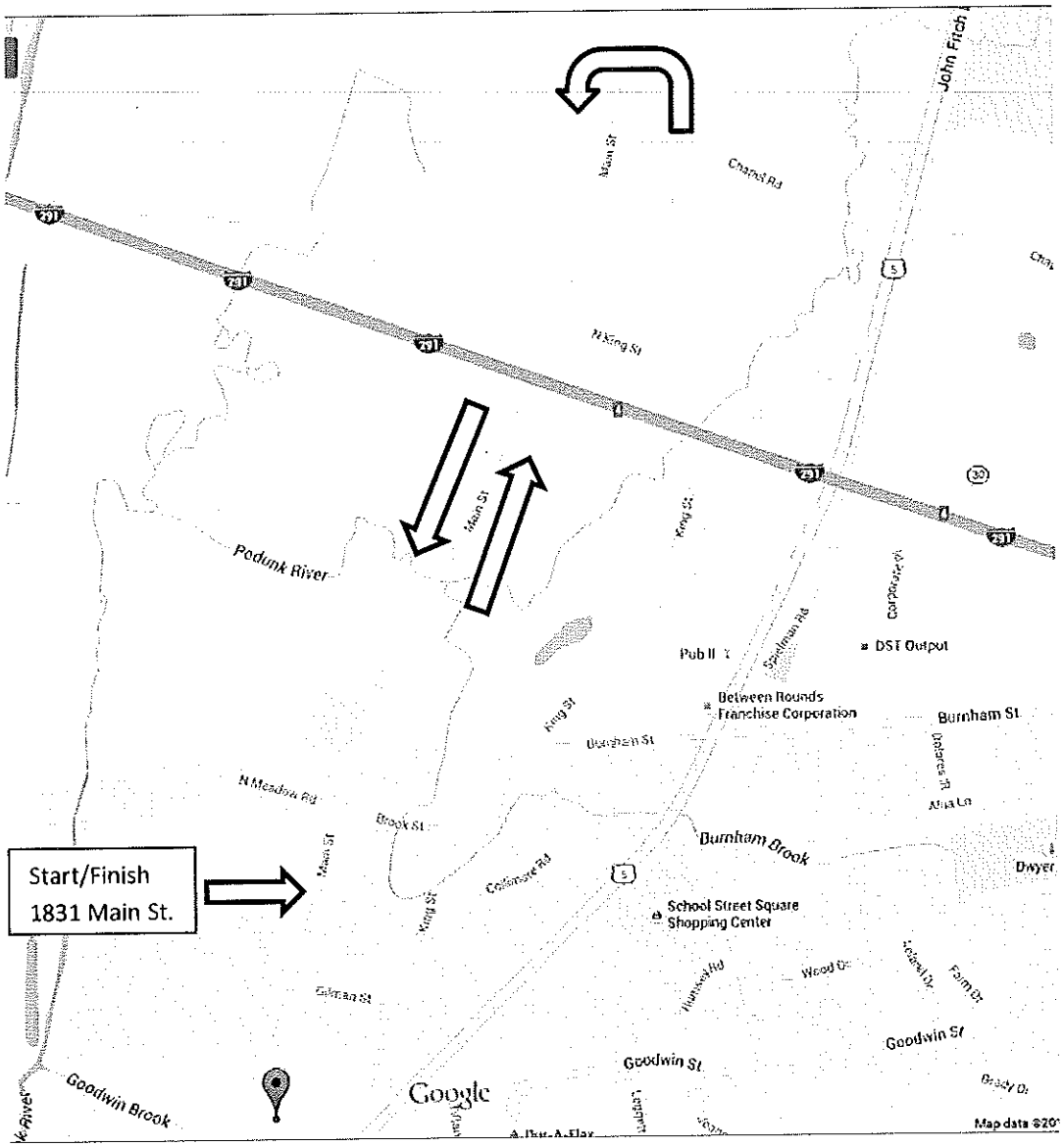
Please click Register Now to register or to donate!

Proceeds to benefit Project B.L.U.E 208 - Breaking the Silence of Law Enforcement Officers Underlying Traumatic Stress Through Education and Access to Support" a new initiative being started under the Connecticut Alliance to Benefit Law Enforcement (CABLE). "Project B.L.U.E 208" will provide resources, training and information on the mental health and well-being of first responders to the public safety community, mental health care providers, family members and the public.

Learn more about CABLE at: http://www.cableweb.org/project-blue-208

Course Route:

The 5k race will start at the Knights of Columbus and go into South Windsor on Main St North bound and return on Main Street South bound.


Start/Finish
1831 Main St.
Podunk River
Main St
King St
N King St
Chand Rd
John Finch
Pub II
DST Output
Between Rounds
Franchise Corporation
Burnham St
Burnham Brook
N Meadow Rd
Brook St
Colonial Rd
School Street Square
Shopping Center
Goodwin St
Goodwin Brook
Google

ACORD®

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 06/11/2015

**PRODUCER**

East Main Street Insurance Services, Inc.
Will Maddux
PO Box 1298
Grass Valley, CA 95945
Phone: (530) 477-6521 Email: info@theeventhelper.com

THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**INSURED**

Believe 208: Run for the Brave & Finest
Kathryn Carbone
19 Redbud Lane
Glastonbury, CT 06033

| INSURERS AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A: Essex Insurance Company | 39020 |
| INSURER B: | |
| INSURER C: | |
| INSURER D: | |
| INSURER E: | |

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | ADD'L INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | |
|---|---|---|---|---|---|---|---|
| A | Y | **GENERAL LIABILITY** | 3DS5440-M791257 | 09/20/2015 | 09/21/2015 | EACH OCCURRENCE INCLUDES BODILY INJURY & PROPERTY DAMAGE | $ 2,000,000 |
| | | [X] COMMERCIAL GENERAL LIABILITY | | | | MED EXP (Any one person) | $ 5,000 |
| | | [ ] CLAIMS MADE [X] OCCUR | | | | PERSONAL & ADV INJURY | $ 2,000,000 |
| | | Host Liquor Liability | | | | GENERAL AGGREGATE | $ 3,000,000 |
| | | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | PRODUCTS - COMP/OP AGG | $ 2,000,000 |
| | | [X] POLICY [ ] PRO-JECT [ ] LOC | | | | DEDUCTIBLE | $ 1,000 |
| | | Retail Liquor Liability | | | | | $ |
| | | **AUTOMOBILE LIABILITY** | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | | [ ] ANY AUTO | | | | BODILY INJURY (Per person) | $ |
| | | [ ] ALL OWNED AUTOS | | | | BODILY INJURY (Per accident) | $ |
| | | [ ] SCHEDULED AUTOS | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | [ ] HIRED AUTOS | | | | | |
| | | [ ] NON-OWNED AUTOS | | | | | |
| | | **GARAGE LIABILITY** | | | | AUTO ONLY - EA ACCIDENT | $ |
| | | [ ] ANY AUTO | | | | OTHER THAN AUTO ONLY: EA ACC | $ |
| | | | | | | AGG | $ |
| | | **EXCESS/UMBRELLA LIABILITY** | | | | EACH OCCURRENCE | $ |
| | | [ ] OCCUR [ ] CLAIMS MADE | | | | AGGREGATE | $ |
| | | [ ] DEDUCTIBLE | | | | | $ |
| | | [ ] RETENTION $ | | | | | $ |
| | | | | | | | $ |
| | | **WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** | | | | [ ] WC STATUTORY LIMITS [ ] OTHER | |
| | | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? | | | | E.L. EACH ACCIDENT | $ |
| | | If yes, describe under SPECIAL PROVISIONS below | | | | E.L. DISEASE - EA EMPLOYEE | $ |
| | | | | | | E.L. DISEASE - POLICY LIMIT | $ |
| | | **OTHER** | | | | | |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**

Certificate holder listed below is named as additional insured per attached CG 20 26 07 04.
Attendance: 500, Event Type: Marathon - Walking or Running Event.

**CERTIFICATE HOLDER**

Town of East Hartford
740 Main Street
East Hartford, CT 06108

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ~~ENDEAVOR TO~~ MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, ~~BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.~~

AUTHORIZED REPRESENTATIVE Will Maddux



© ACORD CORPORATION 1988

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

# ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

| Name Of Additional Insured Person(s) Or Organization(s) |
|---|
| Town of East Hartford<br>740 Main Street<br>East Hartford, CT 06108 |
| Information required to complete this Schedule, if not shown above, will be shown in the Declarations. |

**Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

**A.** In the performance of your ongoing operations; or

**B.** In connection with your premises owned by or rented to you.



© ISO Properties, Inc., 2004

MARKEL®

# Essex Insurance Company

## COMMON POLICY DECLARATIONS

POLICY NUMBER: 3DS5440-M791257

Named Insured and Mailing Address

Believe 208: Run for the Brave & Finest
Kathryn Carbone
19 Redbud Lane, Glastonbury, CT 06033

Policy Period: From 09/20/15 to 09/21/15 at 12:01 A.M. Standard Time at your mailing address (shown above).

**IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.**

| LIMITS OF INSURANCE | | |
|---|---|---|
| General Aggregate Limit (other than Products/Completed Operations) | $ 3,000,000 | |
| Products/Completed Operations Aggregate Limit | $ 2,000,000 | |
| Personal and Advertising Injury Limit | $ 2,000,000 | |
| Each Occurrence Limit | $ 2,000,000 | |
| Damage to Premises Rented to You Limit | $ 100,000 | Any One Premises |
| Medical Expense Limit | $ 5,000 | Any One Person |
| Deductible | $ 1,000 | |

**These declarations, together with the Common Policy Conditions and Coverage Form(s) and any Endorsement(s), complete the above numbered policy.**

| FORMS AND ENDORSEMENTS |
|---|
| Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue: |
| SEE FORMS SCHEDULE - MDIL 1001 |

| ITEMIZED COSTS | |
|---|---|
| Premium | $ 250 |
| Surplus Lines Tax | $ 10 |
| Stamping Fees | $ 0 |
| Policy Fee | $ 12.5 |
| RPG Cost | $ 63 |

**Producer Number, Name and Mailing Address**

Citadel Insurance Services, LC
826 E State Rd. Ste. 100
American Fork, UT 84003

Countersigned: Gerard Albanese Jr. By: 06/11/2015

AUTHORIZED REPRESENTATIVE DATE

Fire Dept

**TOWN OF EAST HARTFORD**
***POLICE DEPARTMENT***
**SUPPORT SERVICES BUREAU**
**Outdoor Amusement Permits**
31 School Street
East Hartford, CT 06108
(860) 528-4401

Scott M. Sansom
Chief of Police

Marcia A. Leclerc
Mayor

# Administrative Review of Amusement Permit

Event Date: **September 20, 2015**

Event: **Believe 208 Run for the Brave and Finest**

Applicant: **Kathryn Carbone, its Race Director**

Pursuant to Town Ordinance (TO) 5-3, a review of the application was completed and the following recommendation is made:

☒ 1. the application be approved as submitted.

☐ 2. the application be revised, approved subject to the condition(s) set forth in the attached comments.

☐ 3. the application be disapproved for the reason(s) set forth in the attached comments.

☒ Fire Department
☐ Health Department
☐ Parks & Recreation Department
☐ Public Works Department
☐ Corporation Counsel

☒ Anticipated Cost(s) if known $_____0_____

William Perez, Assistant Fire Chief June 25, 2015
Signature Date

Comments:

Health Dept

**TOWN OF EAST HARTFORD**
***POLICE DEPARTMENT***
**SUPPORT SERVICES BUREAU**
**Outdoor Amusement Permits**
31 School Street
East Hartford, CT 06108
(860) 528-4401

Scott M. Sansom
Chief of Police

Marcia A. Leclerc
Mayor

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☐ Fire Department
☒ Health Department
☐ Parks & Recreation Department
☐ Public Works Department
☐ Corporation Counsel

☐ Anticipated Cost(s) if known $_____0_____

Michael T. O'Donnell 6/11/15
Signature Date

Comments:

Parks + Rec

**TOWN OF EAST HARTFORD**
***POLICE DEPARTMENT***
**SUPPORT SERVICES BUREAU**
**Outdoor Amusement Permits**
31 School Street
East Hartford, CT 06108
(860) 528-4401

Scott M. Sansom
Chief of Police

Marcia A. Leclerc
Mayor

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Applicant: **Kathryn Carbone, its Race Director**

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X 1. the application be approved as submitted.

☐ 2. the application be revised, approved subject to the condition(s) set forth in the attached comments.

☐ 3. the application be disapproved for the reason(s) set forth in the attached comments.

☐ Fire Department
☐ Health Department
X Parks & Recreation Department
☐ Public Works Department
☐ Corporation Counsel

☐ Anticipated Cost(s) if known $0.00

Ted Fravel 6/30/15

Signature Date

Comments:

Public Works Review

## Frank, Carol

**From:** Milkove, Tess
**Sent:** Tuesday, July 07, 2015 8:06 AM
**To:** Frank, Carol
**Cc:** Bockus, Tim
**Subject:** RE: Believe 208 Fun for the Brave and Finest

Carol,

I have reviewed this application and Pursuant to Town Ordinance 5.3, I recommend the application be approved subject to the following condition:

1. The applicant must obtain authorization from the appropriate jurisdictions for road closures associated with this event.

The anticipated cost to the department is $1,800.

Tess Milkove, PE
Assistant Director of Public Works
Town of East Hartford
740 Main Street
East Hartford, CT 06108
Phone (860)291-7365
Fax (860) 291-7370
www.easthartfordct.gov

---

**From:** Frank, Carol
**Sent:** Thursday, June 11, 2015 10:06 AM
**To:** Bockus, Tim; Cordier, James; Fravel, Theodore; Oates, John
**Cc:** Bennett, Cindy; Cohen, Bruce; DeMaine, Michael; Gentile, Richard; Grew, Greg; Hawkins, Mack; Horan, Denise; Leclerc, Marcia; McConville, Timothy; Milkove, Tess; O'Connell, Michael; Perez, William; Sansom, Scott; Stokes, Gloria; Uhrig, Jim
**Subject:** Believe 208 Fun for the Brave and Finest

Good morning all.

Attached please find the Outdoor Amusement Permit Application, course map, COI and your Director's Review and Notice in connection with the above captioned event.

Please note the review is attached to the notice and your review can be sent via an e-mail response, through Outlook or print, sign, and interoffice review, TO MY ATTENTION AT THE POLICE DEPARTMENT by **Tuesday, May 26, 2015.** Thank you.

If you should have any questions, please feel free to contact me.

Carol A. Frank

Corp Counsel

## Frank, Carol

**From:** Gentile, Richard
**Sent:** Monday, June 15, 2015 11:25 AM
**To:** Frank, Carol
**Subject:** RE: Believe 208 Fun for the Brave and Finest

OK with me but they will need a license agreement since the race uses Town Roads

**From:** Frank, Carol
**Sent:** Thursday, June 11, 2015 10:06 AM
**To:** Bockus, Tim; Cordier, James; Fravel, Theodore; Oates, John
**Cc:** Bennett, Cindy; Cohen, Bruce; DeMaine, Michael; Gentile, Richard; Grew, Greg; Hawkins, Mack; Horan, Denise; Leclerc, Marcia; McConville, Timothy; Milkove, Tess; O'Connell, Michael; Perez, William; Sansom, Scott; Stokes, Gloria; Uhrig, Jim
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Carol A. Frank
East Hartford Police Department
Support Services Bureau
31 School Street
East Hartford, CT 06108

Ph: 860-291-7631
Fax: 860-610-6290

COI Approval

## Frank, Carol

**From:** Bennett, Cindy
**Sent:** Wednesday, June 24, 2015 9:27 AM
**To:** Frank, Carol
**Subject:** RE: Believe 208 Fun for the Brave and Finest

Yes this is acceptable-looks like she purchased a special event liability policy-thank you for resending

**From:** Frank, Carol
**Sent:** Wednesday, June 24, 2015 9:26 AM
**To:** Bennett, Cindy
**Subject:** RE: Believe 208 Fun for the Brave and Finest

Cindy,

This was the last time we spoke about this and I hadn't heard back from you. A copy of the application, map and COI that were originally sent on June 11th is attached for you.

**From:** Bennett, Cindy
**Sent:** Friday, June 12, 2015 8:53 AM
**To:** Frank, Carol
**Subject:** RE: Believe 208 Fun for the Brave and Finest

Sorry I will relook maybe I did not scroll down enough

**From:** Frank, Carol
**Sent:** Friday, June 12, 2015 8:53 AM
**To:** Bennett, Cindy
**Subject:** RE: Believe 208 Fun for the Brave and Finest

Cindy,

The organizer is Kathryn Carbone. I thought I saw the Town named on the COI that was attached and she's carrying 2M in coverage. Please let me know.

Carol

**From:** Bennett, Cindy
**Sent:** Friday, June 12, 2015 8:51 AM
**To:** Frank, Carol
**Subject:** RE: Believe 208 Fun for the Brave and Finest

We will need a certificate of liability insurance for 1 million dollars from the event organizer/organization. Town of EH will need to be added and endorse on the policy as an additional insured. tahnks

**From:** Frank, Carol
**Sent:** Thursday, June 11, 2015 10:06 AM
**To:** Bockus, Tim; Cordier, James; Fravel, Theodore; Oates, John
**Cc:** Bennett, Cindy; Cohen, Bruce; DeMaine, Michael; Gentile, Richard; Grew, Greg; Hawkins, Mack; Horan, Denise; Leclerc, Marcia; McConville, Timothy; Milkove, Tess; O'Connell, Michael; Perez, William; Sansom, Scott; Stokes, Gloria;

PD Review

## Frank, Carol

**From:** DeMaine, Michael
**Sent:** Wednesday, June 17, 2015 8:14 AM
**To:** Frank, Carol
**Cc:** Hawkins, Mack
**Subject:** RE: Believe 208 Fun for the Brave and Finest

Carol,

The anticipated cost to the Police Department for staffing for the Believe 208 5K was estimated to be $1,600.

Sergeant Michael DeMaine
Special Events Supervisor/ PIO
East Hartford Police Department
31 School Street
East Hartford, CT 06108
Office (860)291-7583
Fax (860)289-1249
mdemaine@easthartfordct.gov

**From:** Frank, Carol
**Sent:** Thursday, June 11, 2015 10:06 AM
**To:** Bockus, Tim; Cordier, James; Fravel, Theodore; Oates, John
**Cc:** Bennett, Cindy; Cohen, Bruce; DeMaine, Michael; Gentile, Richard; Grew, Greg; Hawkins, Mack; Horan, Denise; Leclerc, Marcia; McConville, Timothy; Milkove, Tess; O'Connell, Michael; Perez, William; Sansom, Scott; Stokes, Gloria; Uhrig, Jim
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Carol A. Frank
East Hartford Police Department
Support Services Bureau
31 School Street
East Hartford, CT 06108

Insp. + Permits review

## Frank, Carol

**From:** Grew, Greg
**Sent:** Thursday, June 11, 2015 10:25 AM
**To:** Frank, Carol
**Subject:** Re: Believe 208 Fun for the Brave and Finest

Per Ordinance 5-3 my review and approval is not required. Permits and inspections may be required for temporary installations.

MILTON GREGORY GREW, AIA
Director of Inspections & Permits
(Building / Zoning / Property Maint.)
TOWN OF EAST HARTFORD
740 Main Street
East Hartford, CT 06108
Direct (860) 291-7345
Mobile (860) 874-8034
www.easthartfordct.gov

---

**From:** Frank, Carol
**Sent:** Thursday, June 11, 2015 10:06 AM
**To:** Bockus, Tim; Cordier, James; Fravel, Theodore; Oates, John
**Cc:** Bennett, Cindy; Cohen, Bruce; DeMaine, Michael; Gentile, Richard; Grew, Greg; Hawkins, Mack; Horan, Denise; Leclerc, Marcia; McConville, Timothy; Milkove, Tess; O'Connell, Michael; Perez, William; Sansom, Scott; Stokes, Gloria; Uhrig, Jim
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If you should have any questions, please feel free to contact me.

Carol A. Frank
East Hartford Police Department
Support Services Bureau
31 School Street
East Hartford, CT 06108

Ph: 860-291-7631
Fax: 860-610-6290

FINAL DRAFT

(07-29-15)

## *Sec. 21-6e. Formal Hearing Procedure - Parking Violations Hearing Officers.*

(a) The Mayor, with the consent of the Town Council, shall appoint up to four [eight (8)] parking violation hearing officers. Such officers shall serve for a term of two years from the effective date of appointment. The officers shall not be employees of the Police Department or of those agencies which administer any aspect of traffic maintenance, parking, engineering or enforcement. The Town shall provide a suitable hearing room in which hearings and administrative appeals are to be conducted and all necessary forms, papers, furnishings and equipment required by the hearing officers to perform their functions. The Town shall provide for the processing of cases prior to decisions by the hearing officer and for processing of cases after a hearing officer has made a decision.

(b) The hearing officers shall be empowered to hear appeals from the issuance of parking violation citations under subsection (d) or (e) of this section and take such other actions in processing parking violations as authorized by state statutes, Town ordinances, rules and regulations.

[(c) Any person or owner of a vehicle cited for a violation of any ordinance, rule or regulation of the Town pertaining to parking may request a hearing in writing, on a form provided by the Town, as indicated in Section 21-6.e. and 21-6.f. hereof.]

(c) Administrative Appeal Procedure:

(1) Any person or owner of a vehicle who has received a parking violation citation may request from the Town an administrative appeal of the citation in writing, using a form provided by the Town, within ten calendar days from the date of the citation. Notice of the finding in an administrative appeal shall be given to the appellant in writing, within sixty calendar days of the receipt of the appeal;

(2) Payment of the fine and penalty shall be stayed pending the administrative appeal. Payment of the fine and any penalty shall be made within ten calendar days of mailing of the finding of the administrative appeal, unless the parking violation citation has been voided or a further appeal has been taken under (d) below.

(d) Any person or owner of a vehicle receiving a parking citation violation may request a hearing in writing, on a form provided by the Town, within ten calendar days of any of the following:

(1) Issuance of a parking citation violation;

(2) Issuance of an adverse decision in an administrative appeals; or

(3) Issuance of a notice pursuant to subsection (e) of section 21.6a.

Payment of the fine and any penalty shall be made within ten calendar days of the finding of the appeal, unless the parking violation citation has been voided.

[(d)] (e) (1) In scheduling formal appeal hearings, the appellant shall be notified by mail of the place and time of the hearing. Such notice shall be provided at least fifteen days, but not more than thirty days, prior to the scheduled hearing date.

(2) The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.

(3) The provisions of this section shall be construed in accordance with the provisions of applicable state statutes and Town ordinances.

(4) In considering an appeal, the hearing officer shall consider all relevant facts and circumstances and may require the personal appearance of the appellant and issuing officer.

(5) Should the hearing officer find in favor of appellant, he shall so certify to the Town, and the record of the citation shall be removed from the files of the Town.

(6) Should the hearing officer find the issuance of the citation proper, he shall so certify to the Town and no further appeal under this section shall be considered.

(f) If such violation is not paid [on the date of the judgment of the hearing Officer] pursuant to subsections (d) or (e) of this section, the Town shall send by first-class mail a notice of the penalty assessment to the person found liable and shall file, not less than thirty days nor more than twenty-four months after such mailing, a certified copy of the notice of penalty assessment with the Clerk of the Superior Court for the geographical area in which the Town is located, together with an entry fee as required by statute. The certified copy of the notice of penalty assessment shall constitute a record of assessment. Within such twenty-four months period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment in the amount of such record of assessment and court costs against such person in favor of the Town. Notwithstanding any other provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such-person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal may be instituted as provided by statute within thirty days of the mailing of notice of such assessment.

# TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: July 30, 2015

TO: Richard F. Kehoe, Chair

FROM: Mayor Marcia A. Leclerc

RE: RESOLUTION: Capital Workforce Partners Intergovernmental Consortium Agreement

---

The Town of East Hartford is one of 37 Municipalities under the North Central Connecticut Workforce Development Area, managed through Capital Workforce Partners that receive funds for a number of improvements to the job training system through the Federal Workforce Investment Act.

Recent changes from the Workforce Investment Act (WIA) of 2003 to the current Workforce Innovation and Opportunity Act (WIOA) of 2014 requires the North Central Connecticut Workforce Development Area to make amendments to their 2003 Intergovernmental Consortium Agreement ("ICA") to be fully compliant with WIOA as mandated through the CT Department of Labor.

The changes to the ICA include updated language regarding the appointment of the Chairperson and Vice Chairperson of the Consortium, the creation and authorization of a smaller Council to act on behalf of the Consortium, membership and quorum requirements, language acknowledging the WIOA legislation and other compliance items.

In order to complete the required compliance process, I am asking that the attached resolution be reviewed and adopted. A Capital Workforce Partners representative will be available to answer any questions the council may have.

Please place this information on the Town Council Agenda for the August 4, 2015 meeting.

Thank you.

**RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL OR CHIEF EXECUTIVE OFFICER TO ENTER INTO AN AMENDED AND RESTATED INTERGOVERNMENTAL CONSORTIUM AGREEMENT ON BEHALF OF THE MUNICIPALITY OF EAST HARTFORD**

**TO IMPLEMENT THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014 IN ACCORDANCE WITH FEDERAL AND STATE LAW**

**WHEREAS**, the 105th Congress of the United States of America enacted the federal Workforce Investment Act of 1998 ("WIA"), for the purpose of providing workforce investment activities through statewide and local workforce systems; and

**WHEREAS**, pursuant to WIA, the Governor of the State of Connecticut created the North Central Region consisting of thirty-seven municipalities (the "Municipalities"), including the Municipality of East Hartford (the "Municipality"); and

**WHEREAS**, in or about 2003 the Municipalities entered into an Intergovernmental Consortium Agreement (the "Existing ICA") to implement a local workforce system for the North Central Region; and

**WHEREAS**, the 113th Congress of the United States of America enacted and President Obama signed into law on July 22, 2014 the federal Workforce Innovation and Opportunity Act of 2014 ("WIOA"), to continue with certain changes the policies and programs created and administered under WIA, including the initial re-designation of the North Central Region as the North Central Connecticut Workforce Development Area (the "Local Area"); and

**WHEREAS**, the implementation of WIOA and the re-designation of the Local Area shall require amending the Existing ICA through the execution of an amendment creating an Amended and Restated Intergovernmental Consortium Agreement (the "New ICA") among the Municipalities in the Local Area specifying among other things the powers and authority of the Consortium of the Municipalities created thereby (the "Consortium"), the process for the selection of the members of the workforce development board, the designation of a grant recipient and of a sub grant recipient/administrative agency/fiscal agent and a statement of accountability for allocated federal workforce funds; and

**WHEREAS**, the Municipality wishes to remain a part of the Consortium and the Local Area and to continue to receive funds under WIOA and other related workforce funding streams so as to provide workforce services to its constituents, by entering into the New ICA;

**NOW THEREFORE BE IT RESOLVED**, that the Municipality having complied with all of its municipal and other applicable requirements to enter into the New ICA, authorizes its chief elected official or chief executive officer to execute any amendment or other documents and to do such other lawful things as are necessary to enter into the New ICA on behalf of the Municipality; and

**BE IT FURTHER RESOLVED,** that the Municipality authorizes its designated representative to the Consortium to act for the Municipality on all Consortium matters as set out in the New ICA.

_____ _____

Signature, Authorized Official Date

Title:

AMENDMENT TO INTERGOVERNMENTAL CONSORTIUM AGREEMENT
BY AND AMONG THE MUNICIPALITIES OF

ANDOVER, AVON, BERLIN, BLOOMFIELD, BOLTON, BRISTOL, BURLINGTON, CANTON, EAST GRANBY, EAST HARTFORD, EAST WINDSOR, ELLINGTON, ENFIELD, FARMINGTON, GLASTONBURY, GRANBY, HARTFORD, HEBRON, MANCHESTER, MARLBOROUGH, NEW BRITAIN, NEWINGTON, PLAINVILLE, PLYMOUTH, ROCKY HILL, SIMSBURY, SOMERS, SOUTH WINDSOR, SOUTHINGTON, STAFFORD, SUFFIELD, TOLLAND, VERNON, WEST HARTFORD, WETHERSFIELD, WINDSOR AND WINDSOR LOCKS.

THIS IS AN AMENDMENT TO THE INTERGOVERNMENTAL CONSORTIUM AGREEMENT (the "Agreement"), entered into by and among the above-captioned municipalities (the "Municipalities") in or about 2003. The Municipalities (sometimes hereinafter individually a "Party" and collectively the "Parties") collectively constitute the North Central Connecticut Workforce Development Area (the "Local Area").

**WITNESSETH**

WHEREAS, each of the Municipalities of the Local Area entered into the Agreement pursuant to the Connecticut General Statutes, in order to form the Local Area under the Workforce Investment Act (hereinafter "WIA") and implement a local workforce system for the Local Area; and

WHEREAS, on July 14, 2014 the United States Congress enacted the Workforce Innovation and Opportunity Act, (hereinafter "WIOA") which replaced WIA; and

WHEREAS, WIOA requires chief local elected officials to reaffirm their intent to continue as a local workforce area and to seek designation as a workforce area from the State of Connecticut (the "State"); and

WHEREAS, each of the Municipalities desires to continue to receive funds under WIOA and other related workforce funding streams so as to provide workforce services to their constituents by reaffirming their desire to remain a member of the consortium (the "Consortium") created pursuant to the Agreement and which additionally constitutes the Local Area;

**NOW THEREFORE**, in consideration of the premises and mutual covenants and obligations herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree and understand as follows:

## ARTICLE I: AMENDMENT PURPOSE

It is the purpose of this Amendment to re-affirm and restate the duties, powers, and obligations of the Consortium of the Local Area under the Agreement, in order to be in compliance with WIOA.

## ARTICLE II: PARTIES TO THIS AMENDMENT AND INTENT OF THE PARTIES

a. Each signatory hereof on behalf of a Municipality represents and warrants that he or she has the necessary authority to execute this Amendment to bring the Agreement into compliance with WIOA as it applies to local workforce development areas consisting of multiple units of local government. Each Party through its signatory represents and warrants that it has: (i) complied with any and all municipal and other applicable requirements for amending and restating the Agreement; (ii) becoming a member of the Consortium; and (iii) designating a Representative (as hereinafter defined) to serve and act on the Municipality's behalf. Further, each Party has the constitutional and/or statutory power pursuant to the Connecticut General Statutes to execute this Amendment, as evidenced by the signature of the signatory for such Party which is affixed to the execution pages of this Amendment.

b. On and after the Effective Date (as hereinafter defined), each Party shall be represented by either its chief elected official or another elected official appointed by such Party, to represent such Party for all purposes hereof (in either case, its "Representative").

c. The Parties agree that upon its execution by each Party, this Amendment shall be effective as of July 1, 2015 (the "Effective Date"), and that upon such execution and on and after the Effective Date, the term "Agreement" shall mean and refer to the Agreement as amended and restated by this Amendment. The Parties also agree that the Agreement as so amended and restated shall constitute an "agreement" pursuant to Section 107(c)(1)(B) of WIOA.

## ARTICLE III: TERM

a. The Agreement (as amended hereby) shall be effective as of the Effective Date, and shall automatically renew on each subsequent July 1st for successive one-year terms, unless or until

   i. The governor of the State (the "Governor") re-designates the Local Area,

   ii. The date that is forty (40) years after the Effective Date, or

   iii. Any Party withdraws from the Consortium by giving written notice to the other Parties, at least ninety (90) days prior to the end of a program year for receipt of federal workforce funds.

b. If any Party so withdraws from the Consortium, the Agreement shall be modified to reflect the withdrawal of such member. The pertinent Municipality shall remain liable for its pro-rata share of obligations under the Agreement prior to the effective date of such Party's withdrawal.

c. The Agreement shall remain in full force and effect until such time as the Governor has been notified and has taken such action as is appropriate to address designation and services issues for the Local Area.

## ARTICLE IV: ORGANIZATION

a. Consortium Membership and WIOA Chief Elected Official Designation

i. Each Representative of a Party shall be either: (a) the chief elected official of his or her respective Municipality; or (b) an elected official designated by such Municipality's governing body to serve as such Municipality's "Chief Elected Official" for the purposes required under WIOA.

ii. The Chairperson of the Consortium (as hereinafter described) shall serve as the "Chief Local Elected Official" of the Local Area for all WIOA purposes during his or her of term of office.

b. Officers of the Consortium, Election of the Officers and Creation of a Council of Elected Officials to Act on Behalf of the Consortium for the Purpose of Conducting WIOA and WIOA-Related Business

i. The Officers of the Consortium (the "Officers") shall be a Chairperson and a Vice Chairperson. The Officers shall be elected by the Council of Elected Officials (as hereinafter defined) from among the Representatives, and shall serve for a two year term beginning January 1 of every even-numbered year. Elections shall be held once every two years following July 1, 2015 in December of each odd-numbered year, to follow municipal elections occurring in November of such years.

ii. Notwithstanding Section (b)(i) above, the Parties agree that the Officers for purposes of this Agreement and initial WIOA implementation shall be the Mayor of East Hartford, who shall serve as Chairperson, and the Chairman of the Town Council of Glastonbury who shall serve as Vice Chairperson.

iii. The term of office of the initial Officers described in Section (b)(ii) above shall begin on the Effective Date and shall extend through December 31, 2017.

iv. In order to be able to conduct its business in an efficient and effective manner the Consortium recognizes that it may be a challenge to assemble a majority of the Consortium for regularly scheduled meetings in a manner that

accommodates all thirty-seven Municipalities. To that effect the Consortium hereby designates from among its membership the Representatives of the following nine (9) Municipalities to serve as the Council of Elected Officials (the "Council") for purposes of conducting business on behalf of the Consortium following the execution of this Amendment and appointment of the initial Officers:

Bloomfield
Bristol
East Hartford
Enfield
Enfield
Glastonbury
Manchester
New Britain
Plainville
Windsor Locks

v. The Chairperson and the Vice Chairperson of the Consortium shall also serve as the Chairperson and Vice Chairperson of the Council.

vi. The Council shall elect the Chairperson and Vice Chairperson in accordance with the schedule described in Section b (i) above, based upon a simple majority of the members of the Council constituting a quorum, once a quorum has been seated at its biannual December election meeting.

vii. Council members shall serve until replaced. If any Council member wishes to resign from the Council, such member shall provide written notice of such resignation to the Chairperson. Upon receipt of such notice, the Chairperson shall solicit for a replacement to the Council from the Consortium; alternatively, the Chairperson may nominate such replacement. In either case, the Council shall elect such replacement member at its next regular meeting, by a simple majority vote of a quorum.

c. Duties of the Chairperson

i. The Chairperson shall call regular and special meetings of the Consortium and of the Council. The Chairperson shall have the right to vote on all matters which may come before the Consortium and of the Council.

ii. The Chairperson shall be a member of all Council committees (as hereinafter described), and may vote on all matters which may come before the Consortium and the Council.

d. Duties of the Vice Chairperson

i. At the request of the Chairperson or in the absence of the Chairperson, or during the Chairperson's inability to act, the Vice Chairperson shall assume the powers and duties of the Chairperson.

ii. The Vice Chairperson shall have such other powers and perform such other duties as may be assigned to him/her by the Council.

e. Committees

i. The Council may establish such standing, special, ad hoc and advisory committees as it shall deem appropriate.

ii. In establishing any such committee hereunder, the Council shall specify the purpose and responsibilities of such committee.

iii. The Chairperson shall appoint and reappoint the members of any such committee from among the Representatives of the Council or of the Consortium, and shall designate the chairperson thereof and fill vacancies thereon; however any Representative of the Consortium, whether or not a member of the Council may serve on any committee of the Council. Any committee established by the Council may be terminated by the Council at any time.

f. Full Consortium Meetings and Quorum Requirements

i. Regular Meetings. Unless otherwise specified by resolution of the Consortium, the Annual Business Meeting of the Consortium (as hereinafter described) shall constitute the regular meeting thereof.

ii. Special Meetings. Special meetings shall be held by call of the Chairperson or by petition to the Chairperson from those Representatives of at least nine members of the Consortium.

iii. Annual Business Meeting. The Annual Business Meeting, at which a report on the program performance and presentation of the annual audit shall be made, shall be held on a date and place to be selected by the Chairperson, but such meeting shall be held no later than December 31st of each year.

iv. Call of Meeting. Each Consortium member shall be sent notices of meetings in writing, which may include any manner of electronic means, postmarked at least five (5) days before the meeting date. The notices shall include the place and time of the meeting and an agenda for the meeting. Any matter not included in the agenda shall not be acted upon at such meeting other than routine ministerial and administrative matters, unless such matter is approved by a simple majority of the Representatives present and constituting a quorum.

v. Minutes. Minutes of the Consortium meetings and other official actions shall be of public record.

vi. The Consortium shall follow Robert's Rules of Order for the conduct of meetings of the organization.

vii. Meetings shall be noticed and declared public meetings, open to the public, in accordance with Connecticut State Statutes and federal law.

viii. Quorum. For conducting the Consortium's business, any nine (9) Representatives shall be considered a quorum and a majority vote of the quorum shall be sufficient to move an item of business.

ix. To the extent allowed by the Connecticut General Statutes, Representatives may participate in meetings of the Consortium via a call-in number or such other technological aid as may be approved by the Legislature. However Representatives shall make every effort to attend in person.

x. Each Representative shall be entitled to a vote at meetings of the Consortium.

xi. There shall be no proxy or alternate votes at meetings of the Consortium.

g. Council Meetings

i. Regular Meetings of the Council shall be held a minimum of four times a year, so as to at a minimum approve the annual budget, approve or terminate the selection of the one-stop operator, approve the four year plan and amendments to the plan, and approve on behalf of the Consortium any contract, Memorandum of Understanding or other agreement as required by the State or other applicable authority, including without limitation any Memorandum of Understanding between one-stop partners including the core partners and to approve any agreements regarding core partner contributions to the infrastructure of the local one-stop system.

ii. The Council shall meet biennially in December of odd numbered years in order to vote on the selection of the Chairperson and the Vice Chairperson. Vacancies of such Officers may be filled at any regular or special meeting of the Council.

iii. Special Meetings. Special meetings may be called by the Chairperson or by petition to the Chairperson of the Council by a petition of a majority of the full Council membership.

iv. Call of Meeting. Notice of meetings of the Council shall be sent to the Council and to each Consortium member, so that they will know that a meeting is being held and the Agenda for that meeting, in writing, which may include electronic communications, at least five (5) days before the meeting date. Notice shall include the place and time of the meeting and the meeting agenda. Non agenda matters may be presented at a meeting of the Council so long as approved by a simple majority of a quorum present at the meeting.

v. Minutes. Minutes shall be kept of all Council meetings and shall constitute a public record.

vi. The Council shall follow Robert's Rules of Order for the conduct of meetings of the organization when a question arises regarding motions presented for a vote at a regularly scheduled meeting.

vii. Meetings shall be noticed and declared public meetings, open to the public, in accordance with Connecticut State Statutes and federal law.

viii. Quorum. Five members of the Council shall constitute a quorum for conducting the Council's business and a majority vote of the quorum shall be sufficient to move an item of business. Once a quorum is present for a meeting, such quorum shall be deemed to be present until such meeting is adjourned.

ix. Should the Council appoint any committees, three (3) Representatives shall be required in order to conduct committee business and a majority vote of 2 of the minimum of three members shall be sufficient to move any item on a committee agenda

x. To the extent allowed by the Connecticut General Statutes, Council members may participate in meetings of the Council via a call-in number or such other technological aid as may be approved by the Legislature. However members shall make every effort to attend in person.

xi. Each Council member shall be entitled to a vote at meetings of the Council.

xii. There shall be no proxy or alternate votes at meetings of the Council.

h. Grant Recipient and Sub-Grant Recipient Designation

i. The Consortium shall support its programs and any costs incidental to the operation of its programs by grant funds appropriated to it by the federal and state grants and/or appropriations. In addition, the Consortium or its designee is authorized to accept any other grants in aid or assistance, funds from the United States Government or to accept appropriations from any of

its members, or any other organization or person, including the acceptance of donations, grants, or bequests whether it be in the form of tangible or intangible property.

ii. The Consortium shall be the Grant Recipient of record for purposes of receipt of federal WIOA funds.

iii. The Consortium designates the North Central Connecticut Workforce Development Board (the "Workforce Board") to be the sub-grant recipient and Administrative Entity/Fiscal Agent for purposes of receipt of federal WIOA funds.

iv. The staff of the Workforce Board shall provide staff and related support to the Consortium and the Council. Such staff shall carry out the policies of the Consortium and Council, produce required reports for its review and approval, and provide such other services as may be necessary for the Consortium and Council to carry out their respective business.

i. Appointment of Workforce Board Members

i. The Council shall appoint the Workforce Board, which shall meet the membership requirements of WIOA Sections 107(b) and which shall meet the criteria established by the Governor and the State Board pursuant to Section 107 (b)(1) of WIOA.

ii. A majority of members of the Workforce Board shall be business representatives who are owners, chief executive or operating officers, or other business executives, or employers with optimum policymaking or hiring authority.

A. Appointments of business representatives to the Workforce Board shall be made from nominations received by the Council from among individuals nominated by local business organizations and business trade associations.

B. Business representatives shall include small businesses, or organizations representing businesses, that provide employment opportunities in the local area in in-demand industry sectors or occupations (as defined in WIOA section 3(23)).

iii. Not less than 20 percent of the members of the Workforce Board shall be workforce representatives which include (a) two or more representatives of labor, (b) one or more representatives of a joint labor- management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization.

A. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation shall be appointed, if one exists

B. Labor organization representatives must be appointed from among individuals who have been nominated by local labor federations. Pursuant to WIOA the Council shall establish a formal policy to facilitate these nominations which shall be communicated to local labor federations.

C. Following the appointment of a minimum of the three required labor / worker representatives the Council may appoint the balance of the members necessary to constitute the required 20 percent in this category from representatives of community-based organizations that (a) have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or (b) provide or support competitive integrated employment for individuals with disabilities; or (c) represent organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of WIOA eligible youth, including representatives of organizations that serve out-of-school youth, including representatives of organizations serving out-of-school youth.

iv. The Council shall appoint representatives of entities administering education and training activities in the local workforce area who shall include:

A. A representative of eligible providers administering adult education and literacy activities under title II. If there is more than one, or multiple institutions of higher education providers in the Local Area the Council shall solicit nominations from the providers and/or institutions of higher education providing adult literacy

B. A representative of institutions of higher education providing workforce investment activities such as community colleges

v. The Council may include the appointment of representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment

vi. The Council shall appoint representatives of governmental and economic and community development entities serving the local area which shall include:

A. A representative of economic and community development entities

B. An appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area

C. An appropriate representative of the programs carried out under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area

vii. The Council may appoint representatives of agencies or entities administering programs serving the Local Area relating to transportation, housing, public assistance and representatives of philanthropic organizations serving the Local Area.

viii. The Council may appoint such other individuals or representatives of entities as the Council deems appropriate.

ix. Representatives appointed by the Council shall have "optimum policy-making authority", such that they can be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

x. Appointees to the Workforce Board may represent more than one category of membership however; each such appointee shall only have one vote per issue.

xi. All Workforce Board members shall be appointed by a majority of the seated members of the Council. The Council may appoint a nominating committee or may request that the Workforce Board appoint a nominating committee to make recommendations to the Council, initially as described (as of the Effective Date) in the Notice of Proposed Rule Making for WIOA, and hereafter as per any Final Rule under WIOA.

xii. All appointments shall be subject to the local board appointment and certification criteria established by the Governor and or the Legislature.

xiii. Workforce Board Member Terms

A. The Council shall appoint the members of the Workforce Board for three year staggered terms. Members may be reappointed at the pleasure of the Council.

B. To the extent that any Workforce Board member or members constitutes a necessary membership position for the purpose of WIOA compliance, such member or members shall continue in such

positions once their terms have expired, until their term is renewed or a new member has been appointed to their seat.

C. The Council shall establish a procedure for being informed of vacancies on the Workforce Board by the staff providing Workforce Board support. In the event of notification of a vacancy a new member shall be appointed from the category of membership in which the vacancy occurred. The appointment shall be made in accordance with the nomination process applicable to the category of membership in which the vacancy occurred. The member appointed shall fulfill the term of the member whose separation from the Workforce Board resulted in the vacancy.

D. The Council Chairperson may remove a Workforce Board member and reappoint someone to the seat vacated as a result of the removal at any time that the Chairperson becomes aware:

1. That a Workforce Board member has had more than 3 unexcused absences, or

2. That an appointed Workforce Board member ceases to represent the category of membership to which they were appointed, or

3. That a Workforce Board member has resigned, is unable to finish their term because of health reasons, death, or resignation, or

4. That a Workforce Board Member has committed an act of moral turpitude

## ARTICLE V: POWERS DELEGATED TO THE CONSORTIUM, THE COUNCIL AND THE COUNCIL TOGETHER WITH THE APPOINTED WORKFORCE BOARD

a. The Council shall appoint the members of the Workforce Board in accordance with State and WIOA criteria.

b. The Council shall be responsible for requesting Local Area designation as appropriate and timely,

c. In addition to the provisions herein contained the Council may create by-laws with respect to the Workforce Board appointment process.

d. The Council has identified the Workforce Board as the entity which shall be responsible for disbursing grant funds.

e. The members of the Consortium shall be liable for the WIOA funds in proportion to the population in their respective Municipality. However in accordance with General Provisions sections (a) and (b) the Workforce Board shall purchase insurance as described therein to limit the Consortium members' liability, to the extent allowed by law.

f. The Council, pursuant to state and federal legislation regarding workforce investment systems and funding, shall oversee policy decisions and activities of the sub-grant recipient and Administrative Entity/ Fiscal Agent, including the following:

   i. The power to contract with the Workforce Board.

   ii. The manner in which accountability for fund expenditures shall be provided for including an independent audit to be done in accordance with the Connecticut General Statutes, and applicable federal legislation, as well as oversight and monitoring, which shall include receiving quarterly performance reports from the Workforce Board.

   iii. The acceptance of grants, donations or other types of financial assistance as allowed by law.

   iv. The manner in which any program income, fee for services or surplus funds may be expended and shall be reported.

   v. The composition, membership appointments, and organizational approval of any advisory or partnership bodies to the Council.

   vi. The development of policies and procedures and/or administrative rules to effectively carry out the Consortium's and Council's policies and decisions so long as they do not conflict with federal and state rules and regulations, or impinge upon powers granted to the Workforce Board.

g. To the extent not delegated to and pursuant to an agreement with the Workforce Board, as permitted by USDOL guidance, the Council on behalf of the Consortium shall consult with the Governor on

   i. The reorganization or decertification of the Workforce Board

   ii. The designation of local areas

   iii. The designation of regions

   iv. The establishment and operation of the fiscal and management accountability information system

v. Criteria for certifying one-stop centers

vi. Equitable and stable infrastructure funding for the one stop system.

vii. The local allocation formula for adult, dislocated worker and youth funds

viii. Requests for waivers of statutory and regulatory requirements under WIOA

h. The Consortium and Council shall make the following information and or documents available to the public including through the inclusion of the information on the website of the Workforce Board:

i. Workforce Board membership and member affiliation;

ii. Their meeting minutes;

iii. The four year plan and modifications to the plan prior to their submission to the State of Connecticut;

iv. The designation and certification of one-stop operators;

v. The process and selection of one-stop operators;

vi. The award of contracts to providers; and

vii. The process and decision to allow the Workforce Board to serve as the one-stop operator.

i. The Council on behalf of the Consortium, together with the Workforce Board shall:

i. Approve non mandatory one-stop partners;

ii. Comment on the State Plan;

iii. Negotiate the local and/or regional performance measures;

iv. Enter into regional planning as appropriate;

v. Set policy for the Local Area;

vi. Enter into an agreement regarding their roles and responsibilities;

vii. Work with the Governor in a disaster;

viii. Develop the local 4 year plan;

ix. Develop 2 year modifications;

x. Shall provide oversight over the one-stop system, youth programs and funds allocated to the local workforce area;

xi. Approve investments in youth programs as well as adult and dislocated worker activities;

xii. Oversee the local one-stop system and shall approve the use and management of one-stop, adult, dislocated worker and youth funds;

xiii. Assure the use and management of funds to maximize performance;

xiv. Select and terminate the one-stop operator;

xv. Agree, as appropriate to the Workforce Board serving as the one-stop operator;

xvi. Develop the Workforce Board budget;

xvii. Decide on use of non-federal funds;

xviii. Appeal the Governor's decision to reorganize;

xix. Develop and enter into memoranda of understanding with the one-stop partners;

xx. Approve optional one-stop partners; and

xxi. Negotiate infrastructure costs

## ARTICLE VI
## CONFLICT OF INTEREST AND CONFIDENTIALITY

a. Consortium and Council Representatives shall not vote on matters coming before them for consideration if

i. the matter concerns the provision of services by the Representative or by an entity that the Representative represents; or

ii. the matter would provide direct financial benefit to the Representative or the immediate family of the Representative; or

iii. the matter concerns any other activity determined by the CLEO to constitute a conflict of interest as specified in the Regional Plan.

b. Abstention. Consortium and Council Representatives shall individually abstain from voting on issues and matters that will result in a direct, indirect, or perceived conflict of interest. Abstentions and the general reasons therefore, should be duly recorded in the minutes of the meeting.

c. Every effort shall be made when appointing non-business members to the Workforce Board that such members or the organizations they represent not be current recipients of WIOA or other grant funds administered and/or overseen by the Council.

d. The Council shall ensure that the Workforce Board adopts a conflict of interest policy and a code of conduct.

e. Confidentiality. All information, whether transmitted orally or in writing, that is of such a nature that it is not, at that time, a matter of public record or public knowledge is deemed confidential by the Consortium or Council. Representatives shall not disclose confidential information obtained in the course of or by reason of his or her membership on the Consortium or Council to any person or entity not directly involved with the business of the Consortium or Council. Further:

   i. No Representative shall use confidential information obtained in the course of or by reason of his or her membership on the Consortium or Council in any matter with intent to obtain financial gain for the Representative, the Representative's immediate family or any business with which the Representative is associated.

   ii. No Representative shall disclose confidential information obtained in the course of or by reason of his or her membership on the Consortium or Council in any manner with the intent to obtain financial gain for any other person.

## ARTICLE VII: GENERAL PROVISIONS

a. The Parties agree that Capital Workforce Partners, Inc. ("CWP") shall be directed to purchase such insurance as is necessary to fully insure the Consortium and indemnify its Municipalities, their elected officials or designees ,and the signatories to this Agreement and save them harmless from all suits, actions, damages, liability and expense in connection with any misuse of grant funds allocated to the local area under Sections 128 and 133 of WIOA arising wholly or in part by any act or omission of the Consortium, the sub-grant recipient or any of its members, their agents, contractors, employees, servants, invitees, licensees or concessionaires, and from all reasonable attorney's fees and other costs of defending any such suit or action. Insurance policies to be purchased and maintained by CWP shall name the thirty-seven Municipalities and Consortium Parties as additional insureds, and

shall include, but not be limited to, coverage for directors and officers liability, professional liability and fiduciaries liability.

b. The Workforce Board, as the sub-grant recipient, and Administrative Entity/ Fiscal Agent appointed hereunder, shall save harmless and indemnify the Consortium and its members from and against financial loss and expense arising out of any claim, demand, suit or judgment by reason of alleged negligence or alleged deprivation of any person's civil rights or other act or omission resulting in damage or injury, if the Consortium and/or its members are found to have been acting in the discharge of its duties or within the scope of employment and such act or omission is found not to have been wanton, reckless or malicious.

c. It is understood and agreed that this Amendment incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Amendment that are not contained herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.

d. It is agreed that no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless approved by an affirmative vote of a majority vote of the Parties.

e. Whenever any Party desires to give notice unto another Party, such notice shall be in writing sent by registered United States Mail with Return Receipt Requested, addressed to the Party for whom it is intended, at the place last specified, and the place for giving such notice in compliance with the provision of this paragraph. Each Party designates the seat of the governing body of its respective Municipality as the address for such notice-

f. The Consortium shall make such reports to the State and federal governments as may be required and shall require such reports as necessary from the Workforce Board.

g. Parties may be reimbursed for travel and out of pocket expenses to the extent allowed by the authorizing legislation governing the funding stream from which reimbursement is sought. Reimbursement shall be in accordance with federal, state and local policies.

h. To the extent a dispute shall arise between or among the Parties in connection with this Agreement, the parties shall first attempt an informal resolution, and if this is unsuccessful, the parties shall attempt to resolve the dispute through mediation.

i. The Chairperson shall act as duly authorized signatory for the Consortium on all agreements, grants, or on any other document requiring a signature and duly

approved by the Consortium, in order to be legally binding. In the absence of the Chairperson, the Vice Chairperson may sign on behalf of the Consortium.

j. The Consortium authorizes the President/Chief Executive Officer of CWP to oversee the procurement of goods and services necessary to carry out the day-to-day activities of the Consortium, the Council and CWP, and to enter into agreements for these goods and services, without obtaining prior Consortium or Council authority. Those goods and services procured for service providers and customers currently through CWP's RFP process shall require Workforce Board authority.

k. This Amendment shall be binding contract and shall be construed in accordance with and governed by the laws of the State, excluding any choice of law provisions thereof; the effect of which would be to apply the substantive law of a State other than Connecticut.

l. In the event that any provision of this Amendment or the application of any such provision to any party or circumstances be held invalid or unenforceable or the application of such provision to parties or circumstances be unenforceable, the remainder of this Amendment shall not be affected thereby and shall remain in full force and effect.

m. Any waiver at any time by any Party of its rights with respect to any matter arising in connection with this Amendment shall not be considered a waiver with respect to any subsequent default or matter.

n. All references herein to "WIOA" shall be to WIOA as it may hereafter be amended, substituted or superseded by any successor legislation from time to time.

IN WITNESS WHEREOF, the Parties have made and executed this Amendment, effective as of the Effective Date, on separate signature pages, on the respective dates which accompany each signature.

SIGNATURE PAGE OF

AMENDMENT TO INTERGOVERNMENTAL CONSORTIUM AGREEMENT AMONG THE MUNICIPALITIES OF

ANDOVER, AVON, BERLIN, BLOOMFIELD, BOLTON, BRISTOL, BURLINGTON, CANTON, EAST GRANBY, EAST HARTFORD, EAST WINDSOR, ELLINGTON, ENFIELD, FARMINGTON, GLASTONBURY, GRANBY, HARTFORD, HEBRON, MANCHESTER, MARLBOROUGH, NEW BRITAIN, NEWINGTON, PLAINVILLE, PLYMOUTH, ROCKY HILL, SIMSBURY, SOMERS, SOUTH WINDSOR, SOUTHINGTON, STAFFORD, SUFFIELD, TOLLAND, VERNON, WEST HARTFORD, WETHERSFIELD, WINDSOR AND WINDSOR LOCKS.

THE MUNICIPALITY OF _____, through its

_____
**[title]**

_____.
**[print name of authorized signatory]**

Date:_____

Signature:_____

**DRAFT**

AMENDED AND RESTATED INTERGOVERNMENTAL CONSORTIUM AGREEMENT
~~BETWEEN~~BY AND AMONG THE MUNICIPALITIES OF

ANDOVER, AVON, BERLIN, BLOOMFIELD, BOLTON, BRISTOL, BURLINGTON, CANTON, EAST GRANBY, EAST HARTFORD, EAST WINDSOR, ELLINGTON, ENFIELD, FARMINGTON, GLASTONBURY, GRANBY, HARTFORD, HEBRON, MANCHESTER, MARLBOROUGH, NEW BRITAIN, NEWINGTON, PLAINVILLE, PLYMOUTH, ROCKY HILL, SIMSBURY, SOMERS, SOUTH WINDSOR, SOUTHINGTON, STAFFORD, SUFFIELD, TOLLAND, VERNON, WEST HARTFORD, WETHERSFIELD, WINDSOR AND WINDSOR LOCKS.

~~THIS AGREEMENT, entered into by and amongst the above-referenced municipalities ("Parties"), which together comprise the membership of the newly formed Capitol Region Workforce Investment Area;~~

THIS IS AN AMENDMENT TO THE INTERGOVERNMENTAL CONSORTIUM AGREEMENT (the "Agreement"), entered into by and among the above-captioned municipalities (the "Municipalities") in or about 2003. The Municipalities (sometimes hereinafter individually a "Party" and collectively the "Parties") collectively constitute the North Central Connecticut Workforce Development Area (the "Local Area").

~~WHEREAS, in accordance with the Workforce Investment Act and the Connecticut General Statutes, an agreement may be entered into amongst municipalities for the purpose of providing resources for policy development, planning, programming of services and other related activities; and~~

**WITNESSETH**

~~WHEREAS, the thirty-seven municipalities listed above are desirous of entering into an agreement in order to authorize the Chief Elected Officials to act on behalf of their municipalities to appoint local workforce investment board members, strategically plan for the delivery of workforce services in the region, implement workforce investment activities and to assign responsibilities among the Chief Elected Officials of each of the municipalities which are a party to this Agreement, all in accordance with the Workforce Investment Act of 1998, Section 117 et seq.; and~~

WHEREAS, each of the Municipalities of the Local Area entered into the Agreement pursuant to the Connecticut General Statutes, in order to form the Local Area under the Workforce Investment Act (hereinafter "WIA") and implement a local workforce system for the Local Area; and

WHEREAS, on July 14, 2014 the United States Congress enacted the Workforce Innovation and Opportunity Act, (hereinafter "WIOA") which replaced WIA; and

WHEREAS, WIOA requires chief local elected officials to reaffirm their intent to continue as a local workforce area and to seek designation as a workforce area from the State of Connecticut (the "State"); and

WHEREAS, ~~the municipalities listed above comprise the membership of the Capitol Region Workforce Investment Area, which was recently reconstituted and designated by the Governor;~~each of the Municipalities desires to continue to receive funds under WIOA and other related workforce funding streams so as to provide workforce services to their constituents by reaffirming their desire to remain a member of the consortium (the "Consortium") created pursuant to the Agreement and which additionally constitutes the Local Area;

**NOW~~,~~ THEREFORE**, in consideration of the premises and mutual covenants and obligations herein contained, and ~~subject to the terms and conditions hereinafter stated~~for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties ~~hereto~~ agree and understand as follows:

## ARTICLE I: ~~AGREEMENT~~AMENDMENT PURPOSE

~~a.~~ It is the purpose of this ~~intergovernmental agreement ("Agreement") to affirm, state, and establish~~Amendment to re-affirm and restate the duties, powers, and obligations of the Consortium of ~~Chief Elected Officials created~~the Local Area under ~~this~~the Agreement ~~by the representatives of each of the Parties to this agreement (the "Consortium"). The terms and conditions which follow reflect the joint understanding among the Parties to this Agreement and shall be construed as the essential elements of the mutual considerations upon which this Agreement is based.~~, in order to be in compliance with WIOA.

~~b. It is the~~ ARTICLE II: PARTIES TO THIS AMENDMENT AND INTENT OF THE PARTIES ~~to this Agreement to incorporate into this Agreement the duties and obligations governing the Parties to this Agreement, the Consortium, their grant and sub-grant recipients, the administrative agent and regional workforce board, which they shall appoint, and the services providers they select to operate State and federal workforce investment programs.~~

~~c. The Consortium created shall assume the responsibility for oversight and policy determination for existing workforce investment programs administered under the Workforce Investment Act of 1998.~~

a. Each chief elected official of a Municipality represents and warrants that he or she has the necessary authority to execute this Amendment to bring the Agreement into compliance with WIOA as it applies to local workforce development areas consisting of multiple units of local government.

~~ARTICLE II: PARTIES TO THE AGREEMENT~~

~~a. The municipalities of ANDOVER, AVON, BERLIN, BLOOMFIELD, BOLTON, BRISTOL, BURLINGTON, CANTON, EAST GRANBY, EAST HARTFORD, EAST WINDSOR, ELLINGTON, ENFIELD, FARMINGTON, GLASTONBURY, GRANBY, HARTFORD, HEBRON, MANCHESTER, MARLBOROUGH, NEW BRITAIN, NEWINGTON, PLAINVILLE, PLYMOUTH, ROCKY HILL, SIMSBURY, SOMERS, SOUTH WINDSOR, SOUTHINGTON, STAFFORD, SUFFIELD, TOLLAND, VERNON, WEST HARTFORD, WETHERSFIELD, WINDSOR AND WINDSOR LOCKS shall constitute a Workforce Investment Area in accordance with State and federal laws, and accordingly are the Parties to this Agreement and shall be collectively referred to as the Consortium of Chief Elected Officials.~~

~~b~~Each Party to this Amendment is represented by its chief elected official (each such elected official that is a signatory to this Amendment or who is otherwise appointed hereunder to represent a Municipality for the purposes hereof, being a "Representative"). Each Party through its Representative represents and warrants that ~~it~~he or she has complied with any and all municipal and other

b. applicable requirements for ~~entering into this~~amending and restating the Agreement, becoming ~~members~~a member of the Consortium and designating ~~the elected official from the municipality~~a Representative to serve ~~on the Consortium~~ and act on the Municipality's behalf. Further, the Parties to this ~~Agreement~~Amendment have the constitutional and/or statutory power pursuant to the Connecticut General Statutes to ~~enter into this Agreement, and after due consideration, have agreed to ratify this~~

~~Agreement as is~~execute this Amendment, as evidenced by the signature of the ~~appropriate official~~Representative for each Municipality which is affixed to the execution pages of this Agreement.

c. The Parties agree that upon its execution by each Party, this Amendment shall be effective as of July 1, 2015 (the "Effective Date"), and that upon such execution and on and after the Effective Date, the term "Agreement" shall mean and refer to the Agreement as amended and restated by this Amendment. The Parties also agree that the Agreement (as so amended and restated shall constitute an "agreement" pursuant to Section 107(c)(1)(B) of WIOA.

## ARTICLE III: TERM

~~a. This~~The Agreement (as amended hereby) shall ~~become~~be effective ~~on July 1, 2003~~as of the Effective Date, and shall ~~be~~ automatically

a. renew ~~renewed on~~on each subsequent July 1st ~~of each subsequent year~~for successive one-year terms, unless or until~~:~~

i. ~~i.~~ The governor of the State (the "Governor") re-designates the Local ~~Workforce Investment~~ Area, ~~or~~

ii. The ~~end of the fortieth year from the date this agreement has been executed by all of~~date that is forty (40) years after the Effective Date, or ~~the Parties, or~~

~~iii. as to a party, until this Agreement has been terminated by such party to this Agreement upon the giving of ninety (90) days~~ Any Party withdraws from the Consortium by giving written notice to the other Parties-

iii. , at least ninety (90) days prior to the end of ~~the~~a program year for receipt of federal workforce funds.

~~b. If any member withdraws from this Agreement in accordance with the terms and conditions of this Agreement,~~

~~at the option of the Parties, this Agreement may be modified or a new Chief Elected Officials agreement may be re-negotiated; and~~

~~ii. the withdrawing member~~If any Party so withdraws from the Consortium, the Agreement shall be modified to reflect the withdrawal of such member. The pertinent Municipality shall ~~be~~remain liable for its ~~pro rata~~pro-rata share of obligations under the Agreement prior to the effective date of such Party's ~~obligations entered into or incurred prior to the effective date of its respective~~

b. withdrawal~~; and~~.

c. ~~iii.~~ This Agreement shall ~~nevertheless~~ remain in full force and effect until such time as the Governor has been notified and has taken such action as is appropriate to address designation and services issues for the Local ~~Workforce Investment~~ Area.

## ARTICLE IV: ORGANIZATION

a. Consortium Membership and ~~Lead~~WIOA Chief Elected Official Designation

~~i. To carry out the purposes of this Agreement, a Consortium shall be created of the chief elected officials of each municipality which is a party to this Agreement, or of the official designated by the member municipality's legislative body to serve in such capacity.~~

i. Each Representative of a Party shall be either: (a) the chief elected official of his or her respective Municipality; or (b) an elected official designated by such Municipality's governing body to serve as such Municipality's "Chief Elected Official" for the purposes required under WIOA.

ii. ~~ii.~~ The ~~then current~~ Chairperson of the Consortium ~~shall also be the designated Lead~~(as hereinafter described) shall serve as the "Chief Local Elected Official" of the ~~Capital Region Workforce Investment~~Local Area for ~~Workforce Investment act~~all WIOA purposes during his/ or her of term of office.

b. Officers of the Consortium, Election of the Officers and Creation of a Council of Elected Officials (the "Council") to Act on Behalf of the Consortium for the Purpose of Conducting WIOA and WIOA-Related Business

~~i. Officers shall include a Chairperson and a Vice Chairperson. They shall be elected from among and by the membership of the Consortium at its biennial election meeting, which shall be held in December of odd numbered years following local municipal elections in November. All officers shall serve until the next biennial election or until they are replaced by their municipal appointing authority.~~

i. The Officers of the Consortium (the "Officers") shall be a Chairperson and a Vice Chairperson. The Officers shall be elected by the Council from among the Representatives, and shall serve for a two year term beginning January 1 of every even-numbered year. Elections shall be held once every two years following July 1, 2015 in December of each odd-numbered year, to follow municipal elections occurring in November of such years.

~~ii. The officers shall be elected by a 2/3 majority vote of the Consortium. If there are two or more candidates for a position and no one receives two thirds of the vote, then a second vote shall be held for the two candidates that received the greatest number of votes.~~

ii. Notwithstanding Section (b)(i) above, the Parties agree that the Officers for purposes of this Agreement and initial WIOA implementation shall be the Mayor of East Hartford, who shall serve as Chairperson, and the Chairman of the Town Council of Glastonbury who shall serve as Vice-Chairperson.

iii. The term of office of the initial Officers described in Section (b)(ii) above shall begin on the Effective Date and shall extend through December 31, 2017.

iv. In order to be able to conduct its business in an efficient and effective manner the Consortium recognizes that it may be a challenge to assemble a majority of the Consortium for regularly scheduled meetings in a manner that accommodates all thirty-seven Municipalities. To that effect the Consortium hereby designates from among its membership the Representatives of the following nine (9) Municipalities to serve as the Council of Elected Officials (the "Council") for purposes of conducting business on behalf of the Consortium following the execution of this Amendment and appointment of the initial Officers:

Bloomfield
Bristol
East Hartford
Enfield
Enfield
Glastonbury
Manchester
New Britain
Plainville
Windsor Locks

v. ~~iii. In the event that~~ The Chairperson ~~is unable to serve s/he will be succeeded by~~and the Vice Chairperson of the Consortium shall also serve as the Chairperson and Vice Chairperson of the Council.

~~iv. Removal from Office. Officers of the Consortium may be removed from office by a 2/3 vote of the entire Consortium upon notice to the Consortium by a petition of at least twenty-five percent (25%) of the representatives to the Consortium.~~

vi. The Council shall elect the Chairperson and Vice Chairperson in accordance with the schedule described in Section b (i) above, based upon a simple majority of the members of the Council constituting a quorum, once a quorum has been seated at its biannual December election meeting.

~~v. Chairperson. The Chairperson of the Consortium shall be a duly elected official of a member municipality. S/he shall preside at all meetings of the Consortium, and in his/her absence the Vice Chairperson will preside. When so directed by the Consortium, the Chairperson and/or other officer and/or the Chief Executive Officer of the sub-grant recipient (CRWDB) shall sign all contracts, reports, plans, and publications which have been duly authorized and adopted by the Consortium.~~

vii. Council members shall serve until replaced. If any Council member wishes to resign from the Council, such member shall provide written notice of such resignation to the Chairperson. Upon receipt of such notice, the Chairperson shall solicit for a replacement to the Council from the Consortium; alternatively, the Chairperson may nominate such replacement. In either case, the Council shall

elect such replacement member at its next regular meeting, by a simple majority vote of a quorum.

c. Duties of the Chairperson

i. The Chairperson ~~may~~shall call regular and special meetings of the Consortium ~~as specified in Section (d)(ii) herein. As a member of the Consortium,~~and of the Council. The Chairperson shall have the right to vote on all matters which may come before the Consortium~~. The Chairperson shall be a member of all committees, ex-officio without vote, except in the case of tie votes or when required for a quorum~~and of the Council.

ii. The Chairperson shall be a member of all Council committees (as hereinafter described), and may vote on all matters which may come before the Consortium and the Council.

d. Duties of the Vice Chairperson

i. ~~vi. Vice Chairperson.~~ At the request of the Chairperson or in the absence of the Chairperson, or during ~~his/her~~the Chairperson's inability to act, the Vice Chairperson shall assume the powers and duties of the Chairperson.

ii. The Vice Chairperson shall have such other powers and perform such other duties as may be assigned to him/her by the ~~Consortium~~Council.

~~e~~e. ~~Steering and other Consortium~~ Committees

i. The ~~Consortium~~Council may establish such standing, special, ad hoc and advisory committees as it shall deem appropriate.

ii. In establishing any such committee hereunder, the ~~Consortium~~Council shall specify the purpose and responsibilities of such committee~~, and may~~.

iii. The Chairperson shall appoint~~,~~ and reappoint ~~and remove~~the members of any such committee ~~and~~from among the Representatives of the Council or of the Consortium, and shall designate the chairperson thereof and fill vacancies thereon; however any Representative of the Consortium, whether or not a member of the Council or not may serve on any committee of the Council. Any committee established hereunder by the ~~Consortium~~Council may be ~~abolished~~terminated by the ~~Consortium~~Council at any time.

~~ii. The Consortium shall establish a committee of the full Consortium to be known as the Local Elected Officials Steering Committee (the "Steering Committee"), which shall be authorized to act on behalf of the Consortium regarding management of the business affairs of the Consortium. The members of the Steering Committee shall be comprised of the chief elected official or their designee(s) of the following~~

~~municipalities and in the following manner, which is particularly prescribed in Exhibit A attached hereto: two representatives from the City of Hartford; one representative from each of the municipalities of Bristol, East Hartford, Enfield, Manchester, New Britain and West Hartford; three representatives to be selected by the member municipalities with a population between 20,000 and 40,000; and four representatives to be selected by the member municipalities with a population of less than 20,000. This population-based formula shall be based upon the then current federal census data for the member municipalities. The selection of Steering Committee members by municipalities having populations of 40,000 or less shall occur at the biennial election meeting following November municipal elections in odd-numbered years. Notwithstanding the composition of the Consortium, it is understood and agreed that the municipality of Hartford shall be entitled to two representatives on the Steering Committee.~~

~~Meetings of the Steering Committee shall be held quarterly or at the discretion of the Chairperson, and .~~

~~d~~f. Full Consortium Meetings and Quorum Requirements

i. Regular Meetings. Unless otherwise specified by resolution of the Consortium, ~~Regular~~the Annual Business Meetings of the Consortium ~~shall be held biannually, with one meeting being held in December of each year. Whenever possible, the Consortium shall conduct its meetings jointly with the board of directors meetings of the local regional workforce development board. As set forth in Section (d)(iii) below, the December meeting shall be the "Election Meeting" in odd-numbered years.~~(as described below) shall constitute the regular meetings thereof.

ii. ~~ii.~~ Special Meetings. Special meetings shall be held by call of the Chairperson or by petition to the Chairperson ~~of the Consortium~~ from those ~~members constituting a minimum of twenty percent (20%) of the~~Representatives of at least nine members of the Consortium.

~~iii. Biennial Election Meeting. Unless otherwise specified by resolution of the Consortium, the biennial election meeting shall be held in December of odd-numbered calendar years.~~

iii. ~~iv.~~ Annual Business Meeting. The Annual Business Meeting, at which ~~the budget for the subsequent year is adopted~~a report on the program performance and presentation of the annual audit shall be made,~~-~~shall be held on a date and place to be selected by the Chairperson, but such meeting shall be held no later than ~~June 1~~December 31st of each year~~.~~

~~v~~iv. Call of Meeting. Each Consortium member ~~and alternate~~ shall be sent notices of meetings in writing, which may include any manner of electronic means, postmarked at least five (5) days before the meeting date. The notices shall include the place and time of the meeting and an agenda for the meeting. Any matter not included in the agenda shall not be acted upon at such meeting other than routine ministerial and administrative matters, unless

such matter is approved by ~~two-thirds~~a simple majority of the ~~members~~Representatives present and constituting a quorum.

~~vi~~v. Minutes. Minutes of the Consortium meetings and other official actions shall be of public record.

~~vii~~vi. The Consortium shall ~~from time to time adopt or amend Standing~~follow Robert's Rules of Order for the conduct of meetings of the organization.

vii. ~~viii.~~ Meetings shall be noticed and declared public meetings, open to the public, in accordance with Connecticut State Statutes and federal law.

viii. ~~e.~~ Quorum. For conducting the Consortium's business ~~or that of any committee of the Consortium, a majority of the representatives of the members of the Consortium or members of such committee, respectively, shall constitute a quorum.~~, any nine (9) Representatives shall be considered a quorum and a majority vote of the quorum shall be sufficient to move an item of business.

~~f. Action of the Consortium. Action of the Consortium, except as otherwise provided herein, will require an affirmative vote of at least a majority of those members of the Consortium present and voting and constituting a quorum, provided that in no case may action be taken by the Consortium by any such majority which is comprised of less than ten (10) representatives.~~

ix. To the extent allowed by the Connecticut General Statutes, Representatives may participate in meetings of the Consortium via a call-in number or such other technological aid as may be approved by the Legislature. However Representatives shall make every effort to attend in person.

~~g. For items determined to be routine, ministerial or administrative, which require action before the next scheduled Consortium meeting, official votes may be taken via facsimile transmission provided that a paper record of facsimile votes is kept documenting the votes of the members. Affirmative votes must meet the same guidelines as outlined in this section. Such votes shall be recorded in the minutes of the next meeting of the Consortium.~~

~~h. Action authorized to be taken by the Board of Directors may be taken without a meeting if the action is taken by all members of the board. Consortium two-thirds of Consortium. The action shall be evidenced by one or more written consents describing the action taken, signed by each representative, and included in the minutes or filed with the Consortium records reflecting the action taken.~~

~~Action taken under this section is effective when all signed consent documents are delivered to the Consortium. A consent signed under this section has the effect of a meeting vote and may be described as such in any document.~~

x. ~~i.~~ Each Representative shall be entitled to ~~one~~a vote ~~in the affairs~~at meetings of the Consortium.

xi. There shall be no proxy or alternate votes at meetings of the Consortium.

g. Council Meetings

i. Regular Meetings of the Council shall be held a minimum of four times a year, so as to at a minimum approve the annual budget, approve or terminate the selection of the one-stop operator, approve the four year plan and amendments to the plan, and approve such Memorandum or Memorandums of Understanding as required by the State or other applicable authority, including without limitation any Memorandum of Understanding between one-stop partners including the core partners and to approve any agreements regarding core partner contributions to the infrastructure of the local one-stop system.

ii. The Council shall meet biennially in December of odd numbered years in order to vote on the selection of the Chairperson and the Vice Chairperson. Vacancies of such Officers may be filled at any regular or special meeting of the Council.

iii. Special Meetings. Special meetings may be called by the Chairperson or by petition to the Chairperson of the Council by a petition of a majority of the full Council membership.

iv. Call of Meeting. Notice of meetings of the Council shall be sent to the Council and to each Consortium member, so that they will know that a meeting is being held and the Agenda for that meeting, in writing, which may include electronic communications, at least five (5) days before the meeting date. Notice shall include the place and time of the meeting and the meeting agenda. Non agenda matters may be presented at a meeting of the Council so long as approved by a simple majority of a quorum present at the meeting.

v. Minutes. Minutes shall be kept of all Council meetings and shall constitute a public record.

vi. The Council shall follow Robert's Rules of Order for the conduct of meetings of the organization when a question arises regarding motions presented for a vote at a regularly scheduled meeting.

vii. Meetings shall be noticed and declared public meetings, open to the public, in accordance with Connecticut State Statutes and federal law.

viii. Quorum. Five members of the Council shall constitute a quorum for conducting the Council's business and a majority vote of the quorum shall be sufficient to move an item of business. Once a quorum is present for a meeting, such quorum shall be deemed to be present until such meeting is adjourned.

ix. Should the Council appoint any committees, three (3) Representatives shall be required in order to conduct committee business and a majority vote of 2 of the minimum of three members shall be sufficient to move any item on a committee agenda

x. To the extent allowed by the Connecticut General Statutes, Council members may participate in meetings of the Council via a call-in number or such other technological aid as may be approved by the Legislature. However members shall make every effort to attend in person.

xi. Each Council member shall be entitled to a vote at meetings of the Council.

xii. There shall be no proxy or alternate votes at meetings of the Council.

~~j~~h. Grant Recipient and Sub-Grant Recipient Designation

i. The Consortium shall support its programs and any costs incidental to the operation of its programs by grant funds appropriated to it by the federal and state grants and/or appropriations. In addition, the Consortium or its designee is authorized to accept any other grants in aid or assistance, funds from the United States Government or to accept appropriations from any of its members, or any other organization or person, including the acceptance of ~~gifts~~donations, grants, or bequests whether it be in the form of tangible or intangible property.

ii. ~~ii.~~ The Consortium ~~of Chief Elected Officials~~ shall be the Grant Recipient of record for purposes of receipt of federal ~~Workforce Investment Act~~WIOA funds.

iii. The Consortium designates ~~Capital Region~~the North Central Connecticut Workforce Development Board (the "Workforce Board") to be the sub-grant recipient and Administrative Entity/Fiscal Agent for purposes of receipt of federal ~~Workforce Investment Act~~WIOA funds.

iv. The ~~Consortium shall be provided with~~staff of the Workforce Board shall provide staff and related support ~~by the same staff as that supporting the local workforce investment board that~~to the Consortium ~~shall appoint.~~and the Council. Such staff shall carry out the policies of the Consortium and Council, produce required reports for ~~their~~its review and approval, and provide such other services as may be necessary for the Consortium and Council to carry out ~~its~~their respective business.

~~j~~i. Appointment of ~~Regional~~ Workforce ~~Investment~~ Board Members

~~i. The Consortium shall appoint a majority private sector Local Workforce Investment Board, including public sector members, which meets the requirements of federal~~

~~and state law, to and including sections 117 (b)(2) and 117 (c)(1)(A) and (B) of the Workforce Investment Act of 1998 and C.G.S. 31-31, as amended by Public Act 99-195, with respect to the receipt of state and federal funding streams over which the Consortium shall exercise policy and oversight for the implementation of workforce investment and related programs, and which meets the criteria established by the Governor and the State Board pursuant to section 117 (b)(1) of the Workforce Investment Act of 1998 for use by the Consortium in appointing such members. This majority private sector Board shall exercise those responsibilities with respect to workforce and related funding streams as shall be determined in any authorizing legislation or as shall be set forth herein.~~

i. The Council shall appoint the Workforce Board, which shall meet the membership requirements of WIOA Sections 107(b) and which shall meet the criteria established by the Governor and the State Board pursuant to Section 107 (b)(1) of WIOA.

ii. ~~Appointments of private sector~~A majority of members ~~to~~of the ~~local~~ Workforce ~~investment~~ Board shall be ~~allocated amongst the Consortium members pursuant to a population-based methodology and each member's municipal population, as is more particularly prescribed in Exhibit B attached hereto. This population-based formula shall be based upon the then current federal census data for the member municipalities.seven7 Of these seven at-large members, two shall represent employers from the Bristol/New Britain area and two shall represent employers in the gaming industry.~~business representatives who are owners, chief executive or operating officers, or other business executives, or employers with optimum policymaking or hiring authority.

~~iii. Private sector members shall constitute the majority of the members appointed.~~

~~iv. When possible, business members shall represent small businesses including minority business.~~

~~v. Non-business members shall be selected in accordance with applicable law and the organizations, agencies, groups and institutions representing those sectors required by governing legislation to be appointed to the non-business seats on the local workforce boards..~~

A. ~~vi. All~~ Appointments of business representatives to the ~~Regional~~ Workforce ~~Investment~~ Board ~~(CRWDB) made by the Consortium shall be made in accordance with Connecticut Public Act 99-195.~~shall be made from nominations received by the Council from among individuals nominated by local business organizations and business trade associations.

B. Business representatives shall include small businesses, or organizations representing businesses, that provide employment opportunities in the local area in in-demand industry sectors or occupations (as defined in WIOA section 3(23)).

~~Local workforce investment board (CRWDB) members shall be appointed for a period~~

iii. Not less than 20 percent of the members of the Workforce Board shall be workforce representatives which include (a) two or more representatives of labor, (b) one or more representatives of a joint labor- management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization.

A. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation shall be appointed, if one exists

B. Labor organization representatives must be appointed from among individuals who have been nominated by local labor federations. Pursuant to WIOA the Council shall establish a formal policy to facilitate these nominations which shall be communicated to local labor federations.

C. Following the appointment of a minimum of the three required labor / worker representatives the Council may appoint the balance of the members necessary to constitute the required 20 percent in this category from representatives of community-based organizations that (a) have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or (b) provide or support competitive integrated employment for individuals with disabilities; or (c) represent organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of WIOA eligible youth, including representatives of organizations that serve out-of-school youth, including representatives of organizations serving out-of-school youth.

iv. The Council shall appoint representatives of entities administering education and training activities in the local workforce area who shall include:

A. A representative of eligible providers administering adult education and literacy activities under title II. If there is more than one, or multiple institutions of higher education providers in the Local Area the Council shall solicit nominations from the providers and/or institutions of higher education providing adult literacy

B. A representative of institutions of higher education providing workforce investment activities such as community colleges

v. The Council may include the appointment of representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment

vi. The Council shall appoint representatives of governmental and economic and community development entities serving the local area which shall include:

A. A representative of economic and community development entities

B. An appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area

C. An appropriate representative of the programs carried out under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area

vii. The Council may appoint representatives of agencies or entities administering programs serving the Local Area relating to transportation, housing, public assistance and representatives of philanthropic organizations serving the Local Area.

viii. The Council may appoint such other individuals or representatives of entities as the Council deems appropriate.

ix. Representatives appointed by the Council shall have "optimum policy-making authority", such that they can be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

x. ~~xi. Members of~~Appointees to the ~~local~~ Workforce ~~investment~~ Board may ~~be re-appointed for consecutive. This conflict of interest provision shall not be applicable to the appointment of members to the Youth Council.~~represent more than one category of membership however, each such appointee shall only have one vote per issue.

xi. All Workforce Board members shall be appointed by a majority of the seated members of the Council. The Council may appoint a nominating committee or may request that the Workforce Board appoint a nominating committee to make recommendations to the Council, initially as described (as of the Effective Date) in the Notice of Proposed Rule Making for WIOA, and hereafter as per any Final Rule under WIOA.

xii. All appointments shall be subject to the local board appointment and certification criteria established by the Governor and or the Legislature.

xiii. Workforce Board Member Terms

A. The Council shall appoint the members of the Workforce Board for three year staggered terms. Members may be reappointed at the pleasure of the Council.

B. To the extent that any Workforce Board member or members constitutes a necessary membership position for the purpose of WIOA compliance, such member or members shall continue in such positions once their terms have expired, until their term is renewed or a new member has been appointed to their seat.

C. The Council shall establish a procedure for being informed of vacancies on the Workforce Board by the staff providing Workforce Board support. In the event of notification of a vacancy a new member shall be appointed from the category of membership in which the vacancy occurred. The appointment shall be made in accordance with the nomination process applicable to the category of membership in which the vacancy occurred. The member appointed shall fulfill the term of the member whose separation from the Workforce Board resulted in the vacancy.

D. The Council Chairperson may remove a Workforce Board member and reappoint someone to the seat vacated as a result of the removal at any time that the Chairperson becomes aware:

1. That a Workforce Board member has had more than 3 unexcused absences, or

2. That an appointed Workforce Board member ceases to represent the category of membership to which they were appointed, or

3. That a Workforce Board member has resigned, is unable to finish their term because of health reasons, death, or resignation, or

4. That a Workforce Board Member has committed an act of moral turpitude

## ARTICLE V: POWERS DELEGATED TO THE CONSORTIUM, THE COUNCIL AND THE COUNCIL TOGETHER WITH THE APPOINTED WORKFORCE BOARD

a. ~~a.~~ The ~~Consortium~~Council shall appoint the members of ~~Capital Region~~the Workforce ~~Development~~ Board in accordance with ~~both~~ State and ~~federal~~WIOA criteria.

b. The Council shall be responsible for requesting Local Area designation as appropriate and timely,

c. In addition to the provisions herein contained the Council may create by-laws with respect to the Workforce Board appointment process.

d. The Council has identified the Workforce Board as the entity which shall be responsible for disbursing grant funds.

e. The members of the Consortium shall be liable for the WIOA funds in proportion to the population in their respective Municipality. However in accordance with General Provisions sections (a) and (b) the Workforce Board shall purchase insurance as described therein to limit the Consortium members liability, to the extent allowed by law.

f. ~~b.~~ The ~~Consortium~~Council, pursuant to state and federal legislation regarding workforce investment systems and funding, shall oversee policy decisions and activities of the sub-grant recipient and Administrative Entity/ Fiscal Agent ~~in carrying out the responsibilities of the grant recipient, which shall be vested in powers to include, but not be limited to,~~, including the following:

i. The power to contract with ~~Capital Region~~the Workforce ~~Development~~ Board~~, Inc~~.

ii. The manner in which accountability for fund expenditures shall be provided for including an independent audit to be done in accordance with the Connecticut General Statutes, and applicable federal legislation, as well as oversight and monitoring, which shall include receiving quarterly performance reports from ~~Capital Region~~the Workforce ~~Development~~ Board.

iii. ~~iii.~~ The acceptance of grants, ~~gifts,~~donations or other types of financial assistance as allowed by law.

iv. - ~~iv.~~ The manner in which any program income, fee for services or surplus funds may be expended and shall be reported. ~~expended.~~

v. The composition, membership appointments, and organizational approval of any advisory or partnership bodies to the ~~Consortium~~Council.

vi. The development of ~~policies~~policies and procedures and/or administrative rules to effectively carry out the Consortium's and Council's policies and decisions so long as they do not conflict with federal and state rules and regulations, or impinge upon powers granted to the ~~local~~ Workforce ~~investment~~ Board.

g. To the extent not delegated to and pursuant to an agreement with the Workforce Board, as permitted by USDOL guidance, the Council on behalf of the Consortium shall consult with the Governor on

i. The reorganization or decertification of the Workforce Board

ii. The designation of local areas

iii. The designation of regions

iv. The establishment and operation of the fiscal and management accountability information system

v. Criteria for certifying one-stop centers

vi. Equitable and stable infrastructure funding for the one stop system.

vii. The local allocation formula for adult, dislocated worker and youth funds

viii. Requests for waivers of statutory and regulatory requirements under WIOA

h. The Consortium and Council shall make the following information and or documents available to the public including through the inclusion of the information on the website of the Workforce Board:

i. Workforce Board membership and member affiliation;

ii. Their meeting minutes;

iii. The four year plan and modifications to the plan prior to their submission to the State of Connecticut;

iv. The designation and certification of one-stop operators;

v. The process and selection of one-stop operators;

vi. The award of contracts to providers; and

vii. The process and decision to allow the Workforce Board to serve as the one-stop operator.

i. ~~vii.~~ The Council on behalf of the Consortium, together with the ~~local~~ Workforce ~~investment~~ Board ~~(CRWDB), the Consortium~~ shall:

~~A. Approve the budget of the of the local workforce investment board.~~

i. Approve non mandatory one-stop partners;

ii. Comment on the State Plan;

iii. Negotiate the local and/or regional performance measures;

iv. Enter into regional planning as appropriate;

v. Set policy for the Local Area;

vi. Enter into an agreement regarding their roles and responsibilities;

vii. Work with the Governor in a disaster;

viii. ~~B. Approve~~Develop the local ~~Workforce Investment~~4 year plan~~.~~;

~~C. Designate/certify or competitively select local one-stop operators.~~

ix. Develop 2 year modifications;

x. ~~D.~~Shall provide oversight ~~with respect to local youth activities, employment and training activities, and~~over the one-stop ~~delivery~~ system~~.~~, youth programs and funds allocated to the local workforce area;

~~E. Appoint the local youth council.~~

xi. Approve investments in youth programs as well as adult and dislocated worker activities;

~~F. Negotiate local performance measures and levels with the State.~~

xii. Oversee the local one-stop system and shall approve the use and management of one-stop, adult, dislocated worker and youth funds;

xiii. Assure the use and management of funds to maximize performance;

xiv. Select and terminate the one-stop operator;

xv. Agree, as appropriate to the Workforce Board serving as the one-stop operator;

xvi. Develop the Workforce Board budget;

xvii. Decide on use of non-federal funds;

xviii. Appeal the Governor's decision to reorganize;

xix. Develop and enter into memoranda of understanding with the one-stop partners;

xx. Approve optional one-stop partners; and

xxi. Negotiate infrastructure costs

## ARTICLE VI
## CONFLICT OF INTEREST AND CONFIDENTIALITY

a. Consortium and Council Representatives shall not vote on matters coming before them for consideration if

i. the matter concerns the provision of services by the Representative or by an entity that the Representative represents; or

ii. the matter would provide direct financial benefit to the Representative or the immediate family of the Representative; or

iii. the matter concerns any other activity determined by the CLEO to constitute a conflict of interest as specified in the Regional Plan.

b. Abstention. Consortium and Council Representatives shall individually abstain from voting on issues and matters that will result in a direct, indirect, or perceived conflict of interest. Abstentions and the general reasons therefore, should be duly recorded in the minutes of the meeting.

c. Every effort shall be made when appointing non-business members to the Workforce Board that such members or the organizations they represent not be current recipients of WIOA or other grant funds administered and/or overseen by the Council.

d. The Council shall ensure that the Workforce Board adopts a conflict of interest policy and a code of conduct.

e. Confidentiality. All information, whether transmitted orally or in writing, that is of such a nature that it is not, at that time, a matter of public record or public knowledge is deemed confidential by the Consortium of Council. Representatives shall not disclose confidential information obtained in the course of or by reason of his or her membership on the Consortium or Council to any person or entity not directly involved with the business of the Consortium or Council. Further:

i. No Representative shall use confidential information obtained in the course of or by reason of his or her membership on the Consortium of Council in any matter with intent to obtain financial gain for the Representative, the Representative's immediate family or any business with which the Representative is associated.

ii. No Representative shall disclose confidential information obtained in the course of or by reason of his or her membership on the Consortium of Council in any manner with the intent to obtain financial gain for any other person.

## ARTICLE ~~VI~~VII: GENERAL PROVISIONS

a. The ~~signatories to this Agreement~~Parties agree that ~~CRWDB shall~~Capital Workforce Partners, Inc. ("CWP") shall be directed to purchase such insurance as is necessary to fully insure the Consortium and indemnify its ~~member~~ Municipalities, their elected officials or designees ~~,~~and the signatories to this Agreement ~~and the Consortium~~ and save them harmless from all suits, actions, damages, liability and expense in connection with any misuse of grant funds allocated to the local area under Sections 128 and 133 of ~~the Workforce Investment Act~~ WIOA arising wholly or in part by any act or omission of the Consortium, the sub-grant recipient or any of its members, their agents, contractors, employees, servants, invitees, licensees or concessionaires, and from all reasonable attorney's fees and other costs of defending any such suit or action. Insurance policies to be purchased and maintained shall name ~~Capital Region~~the Workforce ~~Development~~ Board, ~~Inc.~~ and the thirty-seven Municipalities and Consortium ~~members~~Parties as insureds, and shall include, but not be limited to, coverage for directors and officers liability, crimes committed, professional liability~~, general liability, sexual abuse, worker's compensation, automobile~~ and fiduciaries liability.

b. ~~Capital Region~~The Workforce ~~Development~~ Board, as the sub-grant recipient, and Administrative Entity/ Fiscal Agent appointed hereunder, shall save harmless and indemnify the Consortium and its members from and against financial loss and expense arising out of any claim, demand, suit or judgment by reason of alleged negligence or alleged deprivation of any person's civil rights or other act or omission resulting in damage or injury, if the Consortium and/or its members are found to have been acting in the discharge of its duties or within the scope of employment and such act or omission is found not to have been wanton, reckless or malicious.

c. It is understood and agreed that this ~~document~~Amendment incorporates and includes all prior negotiations,
correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this ~~Agreement~~Amendment that are not contained ~~in this document~~herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.

d. It is agreed that no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless ~~contained in a written document executed~~

~~with the same formality as the document herewith~~approved by an affirmative vote of a majority vote of the Parties.

e. Whenever any Party desires to give notice unto another Party, such notice ~~must~~shall be ~~given~~ in writing sent by registered United States Mail with Return Receipt Requested, addressed to the Party for whom it is intended, at the place last specified, and the place for giving such notice in compliance with the provision of this paragraph. ~~The parties designate~~Each Party designates the seat of the ~~Legislative Body for their~~governing body of its respective Municipality as the ~~place~~address for ~~giving~~such notice ~~under this agreement.~~

f. The Consortium shall make such reports to the State and ~~the~~ federal governments as may be required and shall require such reports as necessary from ~~Capital Region~~the Workforce ~~Development~~ Board.

g. ~~Consortium members~~Parties may be reimbursed for travel and out of pocket expenses to the extent allowed by the authorizing legislation governing the funding stream from which reimbursement is sought. Reimbursement shall be in accordance with federal, state and local policies.

h. To the extent a dispute shall arise between or among the Parties in connection with this Agreement, the parties shall first attempt an informal resolution, and if this is unsuccessful, the parties shall attempt to resolve the dispute through mediation.

i. The Chairperson shall act as duly authorized signatory for the Consortium on all agreements, grants, or on any other document requiring a signature and duly approved by the Consortium, in order to be legally binding. In the absence of the Chairperson, the Vice Chairperson may sign on behalf of the Consortium.

j. The Consortium authorizes the President ~~of Capital Region Workforce Development Board shall be authorized~~/Chief Executive Officer of CWP to oversee the procurement of goods and services necessary to carry out the day-to-day activities of the Consortium ~~and~~, the ~~Board~~Council and CWP, and to enter into agreements for these goods and services, without obtaining prior Consortium or ~~Workforce Board~~Council authority. Those goods and services procured for service providers and customers currently through ~~the Workforce Board~~CWP's RFP process ~~will continue to~~shall require ~~Consortium and/or~~ Workforce Board authority.

k. This ~~Agreement~~Amendment shall be ~~deemed to be a~~ binding contract and shall be construed in accordance with and governed by the laws of the State ~~of~~, excluding any choice of law provisions thereof; the effect of which would be to apply the substantive law of a State other than Connecticut.

l. In the event that any provision of this ~~Agreement~~Amendment or the application of any such provision to any party or circumstances be held invalid or unenforceable or the application of such provision to parties or circumstances be unenforceable,

the remainder of this ~~Agreement~~Amendment shall not be affected thereby and shall remain in full force and effect.

m. Any waiver at any time by any Party ~~hereto~~ of its rights with respect to any matter arising in connection with this ~~Agreement~~Amendment shall not be considered a waiver with respect to any subsequent default or matter.

n. All references herein to "WIOA" shall be to WIOA as it may hereafter be amended, substituted or superseded by any successor legislation from time to time.

IN WITNESS WHEREOF, the Parties ~~hereto~~ have made and executed this ~~Agreement~~Amendment, effective as of the Effective Date, on separate signature pages ~~for each municipality member of the Consortium and~~, on the respective dates which accompany each signature~~;~~.

SIGNATURE PAGE OF

~~INTERGOVERNMENTAL AGREEMENT~~
AMENDED AND RESTATED INTERGOVERNMENTAL CONSORTIUM AGREEMENT
BETWEEN THE MUNICIPALITIES OF

ANDOVER, AVON, BERLIN, BLOOMFIELD, BOLTON, BRISTOL, BURLINGTON, CANTON, EAST GRANBY, EAST HARTFORD, EAST WINDSOR, ELLINGTON, ENFIELD, FARMINGTON, GLASTONBURY, GRANBY, HARTFORD, HEBRON, MANCHESTER, MARLBOROUGH, NEW BRITAIN, NEWINGTON, PLAINVILLE, PLYMOUTH, ROCKY HILL, SIMSBURY, SOMERS, SOUTH WINDSOR, SOUTHINGTON, STAFFORD, SUFFIELD, TOLLAND, VERNON, WEST HARTFORD, WETHERSFIELD, WINDSOR AND WINDSOR LOCKS.

THE MUNICIPALITY OF _____, through its designated and

authorized representative to the Consortium,

_____.
(print name of authorized representative)

Date:_____

Signature:_____

| **Summary report:**<br>**Litéra® Change-Pro 7.5.0.80 Document comparison done on 7/23/2015 4:15:21 PM** | |
|---|---|
| **Style name:** Default Style | |
| **Intelligent Table Comparison:** Active | |
| **Original DMS:**iw://HS-SQL/iManage/3864164/1 | |
| **Modified DMS:** iw://HS-SQL/iManage/3871307/3 | |
| **Changes:** | |
| Add | 441 |
| ~~Delete~~ | 250 |
| ~~Move From~~ | 8 |
| Move To | 8 |
| Table Insert | 0 |
| ~~Table Delete~~ | 0 |
| Table moves to | 0 |
| ~~Table moves from~~ | 0 |
| Embedded Graphics (Visio, ChemDraw, Images etc.) | 0 |
| Embedded Excel | 0 |
| Format Changes | 0 |
| **Total Changes:** | 707 |

OFFICE OF THE
TOWN COUNCIL

# TOWN OF EAST HARTFORD

740 Main Street
East Hartford, Connecticut 06108

(860) 291-7208
FAX (860) 291-7389

2015 JUL 20 A 11:06
TOWN CLERK
EAST HARTFORD

July 20, 2015

Please publish the following legal ad in **Zone 4** of the **Tuesday, July 28, 2015** edition of the Hartford Courant. Please bill the East Hartford Town Council – Acct# CU00254235

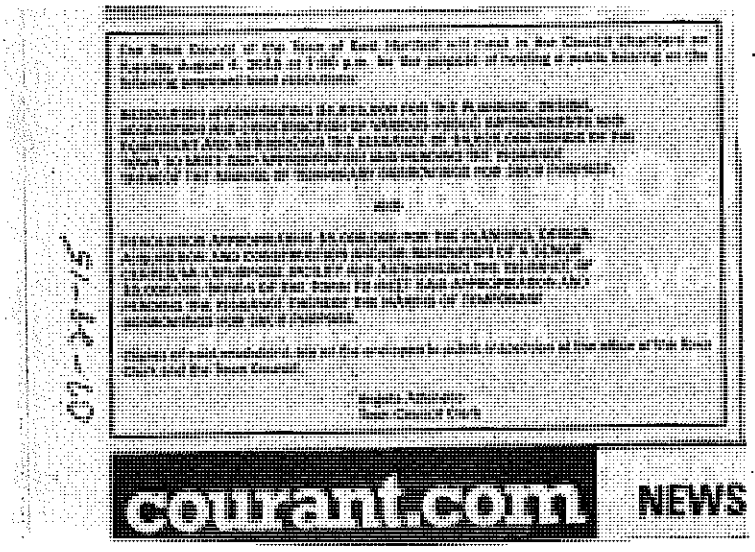
==========

The Town Council of the Town of East Hartford will meet in the Council Chambers on **Tuesday, August 4, 2015 at 7:00 p.m.** for the purpose of holding a public hearing on the following proposed bond resolutions:

RESOLUTION APPROPRIATING $4,625,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF VARIOUS PUBLIC IMPROVEMENTS AND EQUIPMENT AND AUTHORIZING THE ISSUANCE OF $4,625,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE;

AND

RESOLUTION APPROPRIATING $5,000,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION AND/OR RENOVATION OF A SENIOR CENTER/MULTIPURPOSE FACILITY AND AUTHORIZING THE ISSUANCE OF $5,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Copies of said resolutions are on file and open to public inspection at the office of the Town Clerk and the Town Council.

Angela Attenello
Town Council Clerk