

TOWN COUNCIL AGENDA
TOWN COUNCIL CHAMBERS
740 MAIN STREET
EAST HARTFORD, CONNECTICUT
JUNE 21, 2022

Executive Session 7:00 pm

Public Hearing 7:15 pm [Click here to join the meeting](#)

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**This Town Council meeting is accessible through “Microsoft Teams” 929-235-8441
Conference ID: 158 552 502# or click on this link: [Click here to join the meeting](#)**

This meeting can be viewed through Comcast channel 96 and 1090 and Frontier channel 6018 or by clicking on <https://ehct.viebit.com>

Pledge of Allegiance

7:30 p.m.

1. CALL TO ORDER
2. AMENDMENTS TO AGENDA
3. RECOGNITIONS AND AWARDS
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. June 7, 2022 Regular Meeting
 - B. June 13, 2022 Joint Meeting with Charter Revision Commission
6. COMMUNICATIONS AND PETITIONS
 - A. Presentation by Riverfront Recapture
 - B. Presentation on East Hartford Golf Course by Indigo Golf Partners
 - C. Resignation from Historic District Commission
7. OLD BUSINESS
8. NEW BUSINESS
 - A. End of Fiscal Year 2021-202: Interdepartmental Budget Transfers
 - B. Fiscal Year 22 Supplemental Budget Appropriation re: Fire Department Overtime
 - C. ARPA Account Reallocation Adjustments
 - D. ARPA Allocation- Summer Youth Program Expansion
 - E. Annual Per Capita Grant Allocation from Department of Public Health
 - F. License Renewal: Community Garden at Kilty Farm
 - G. Charter Revision Commission Final Report
 1. Approval of Final Report
 2. Referendum Questions for Ballot
 - H. Recommendation from Fees Committee: Transfer Station Permit Fees

9. OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION
10. COUNCIL ACTION ON EXECUTIVE SESSION MATTERS
 - A. The pending workers' compensation claim of former Town employee, Joseph DiMarco
11. OPPORTUNITY FOR RESIDENTS TO SPEAK
 - A. Other Elected Officials
 - B. Other Residents
 - C. Mayor
12. ADJOURNMENT (next meeting: July 12, 2022)

Robert J. Park

EAST HARTFORD TOWN COUNCIL

TOWN COUNCIL CHAMBERS

2022 JUN 10 AM 10:05

June 7, 2022

TOWN CLERK
EAST HARTFORD

PRESENT Chair Richard F. Kehoe, Majority Leader Sebrina Wilson, Minority Leader John Morrison, Councillors Angela Parkinson, Awel Tsegai, Travis Simpson, Thomas Rup and Harry Amadasun, Jr.

ABSENT Vice Chair Donald Bell, Jr.

ALSO Mayor Michael Walsh

PRESENT Marilyn Cruz-Aponte, Interim Director of Public Works
Doug Wilson, Town Engineer
Allyn Tarbell, Associate Director of Highway
Keyin Munson, Fire Chief
Sarah Morgan, Library Director (via Teams)
Laurence Burnsed, Director of Health and Social Services
Paul O'Sullivan, Grants Administrator
Ted Fravel, Director of Parks and Recreation
Anthony Garro, Senior Vice President Beta Group Construction Services

CALL TO ORDER

Chair Kehoe called the meeting to order at 7:35 pm. The Chair stated that this meeting was also available to the public through the "Teams" platform.

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

Shelby Brown, 2 Sunset Ridge Drive, proposed an examination of town ordinances and best practices regarding citizen engagement, specifically regarding major changes and events directly impacting residents. Ms. Brown feels there should be more of an opportunity for citizens to discuss concerns preemptively. The resident's concerned are derived from recent road reconstruction on Sunset Ridge Drive where residents were not notified in advance of a realignment of the road. She expressed her appreciation for the recent road paving of Sunset Ridge Drive but is concerned for the safety of residents due to contour changes to the road near her residence.

Mayor Walsh shared (1) wished all a good evening; (2) Marilyn Cruz-Aponte has been appointed as Director of Public Works. Allyn Tarbell, Associate Director of Highway and Gary McKeone, Superintendent of Parks will serve as supports; (3) The front entryway stairs to Town Hall have been closed off due to safety concerns with the crumbling brownstone steps; (4) Volume IV of the Pulse of East Hartford has been shared with the public highlighting various town events and updates; (5) The Juneteenth celebration will be occurring on the Town Green Saturday June 18 from 11 a.m.-3 p.m. (6) Free and discounted passes for a number of local museums available at library including Beardsley

Zoo, Wadsworth Athenaeum and the Mark Twain House; (7) East Hartford Police and Crossroads Community Cathedral are hosting a "Bike Rodeo" on June 11 at 1492 Silver Lane; (8) Registration for swim lessons are open. The town provides lessons for more than 900 children annually. (9) Crime statistics are available on the town website and the newsletter; (10) East Hartford Summer Reading Program registration is open at the Library on June 9th; (11) Dog licenses are required to be renewed in June via the Town Clerk's office; (12) East Hartford Health Department advises residents regarding mosquito control measures. Information is available on the town website.

APPROVAL OF MINUTES

May 17, 2022 Public Hearing

MOTION By Sebrina Wilson
seconded by Tom Rup
to **approve** the minutes of the May 17, 2022 Public Hearing

Motion carried 8/0.

May 17, 2022 Regular Meeting

MOTION By Sebrina Wilson
seconded by Angie Parkinson
to **approve** the minutes of the May 17, 2022 Regular Meeting

Motion carried 8/0.

May 24, 2022 Executive Session Re: Board of Education

MOTION By Sebrina Wilson
seconded by John Morrison
to **approve** the minutes of the May 24, 2022 Executive Session Re: Board of Education

Motion carried 8/0.

May 24, 2022 Executive Session Re: Waste Services

MOTION By Sebrina Wilson
seconded by Angie Parkinson
to **approve** the minutes of the May 24, 2022 Executive Session Re: Waste Services

Motion carried 8/0.

May 26, 2022 Special Meeting

MOTION By Sebrina Wilson
seconded by Awet Tsegai
to **approve** the minutes of the May 26, 2022 Special Meeting

Motion carried 8/0.

COMMUNICATIONS AND PETITIONS

Presentation Re: Bond Referendum Questions by Public Works, Fire Department and Finance Departments

The Chair shared that the town typically will propose a bond referendum every two years. In the upcoming presentations this evening, administration will present a list of prioritized needs that require funding from bond money. The council will revisit the discussion in August where a Public Hearing will be scheduled and then the council will vote on what referendum questions will be placed on the November ballot.

Mayor Walsh shared with Councillors the proposed bond referendum issues are focused on road improvements (\$15 million) and Fire Department equipment (\$3M).

Marilyn Cruz-Aponte, Director of Public Works introduce the team who will present on behalf of the department. Anthony Garro, Senior Vice President of the Beta Group, detailed an assessment and management program that has been used to evaluate town road conditions and plan improvements. 152 road miles were inspected and prioritized for repairs.

Allyn Tarbell, Associate Director of Highway and Doug Wilson, Town Engineer, presented a number of recommendations on Public Works improvements, including (1) Continued VIP (vendor in place) improvements such as milling and paving of roads in poor condition (\$4.5M per year); (2) Engineered Road Improvements (\$2.0M per year) which include projects that need full depth repair and drainage upgrades; (3) Sidewalk assessment and improvements (\$500K per year) and (4) Stormwater system improvements to address drainage concerns. The total cost annually for the proposed programs is \$7.5M..

Kevin Munson, Fire Chief, detailed recommendations for (1) the replacement for two fire engines, Ladder 1 (approximate cost \$1.6M) and Engine 2 (approx. \$800K); (2) 15 Self Contained Breathing Apparatus (\$135K), and technical rescue equipment specifically designed for rescues of parties below grade or at elevation; including ropes and other equipment that is nearing its life expectancy (\$150K). The Chief estimates that the potential cost of these items will increase in the coming months due to supply chain challenges.

Mayor Walsh spoke on behalf of the Finance Department and a presentation prepared by Melissa McCaw, Finance Director which detailed bonding procedure and anticipated annual tax impact on residents from what has been proposed.

The Council will consider the two items in August.

Resignation from Economic Development Commission

The Chair disclosed that Victor Rosas-Granda has resigned from his position as a member of the Economic Development Commission as he is moving out of state. The Council thanks Mr. Rosas-Granda for his service to the community.

OLD BUSINESS

Transfer of Ownership re: Waste Vehicles from Department of Public Works to All

American, LLC

MOTION By Harry Amadasun
seconded by Awet Tsegai
to adopt the following resolution:

WHEREAS, the Town of East Hartford (the "Town") has issued a bid (the "Bid") seeking proposals for the provision of Residential Municipal Solid Waste (MSW) services, including management, collection, transportation, and proper disposal of all acceptable MSW Refuse, Recycling and Bulky Waste from eligible properties in Town ("MSW Services"); and

WHEREAS, All American Waste, LLC ("All American Waste") has been selected as the successful bidder to provide MSW Services and, accordingly, the Town will no longer need to maintain ownership of the Waste Disposal Vehicles described below; and

WHEREAS, as part of the Bid the Town asked bidders to provide an offer to acquire the Waste Disposal Vehicles; and

WHEREAS, All American Waste's bid for the Waste Disposal Vehicles was consistent with the terms of the Bid; and

WHEREAS, All American Waste's ownership of the Waste Disposal Vehicles is critical to its provision of MSW Services beginning on or around July 1, 2022; and

WHEREAS, Section 10-3 (a) of Town Ordinances governs the disposition of property as set forth above;

NOW THEREFORE BE IT RESOLVED, that contingent upon the execution of a final contract between the Town and All American Waste for MSW Services, the Town Council authorizes the sale and transfer of the below property to All American Waste on the following terms:

1. VIN # 3BPDLH0X7MF110006 Truck # 1060 Natural Gas

Make/Model:

- 2021 Peterbilt Model 520 Right Hand Drive Refuse and Recycling Collection Trucks
\$250,000 lump sum payment

2. VIN # 3BPDLH0X9MF110007 Truck # 1063 Natural Gas

Make/Model:

- 2021 Peterbilt Model 520 Right Hand Drive Refuse and Recycling Collection Trucks
\$250,000 lump sum payment

3. VIN # 1FVHG3DV6HHJC0209 Truck # 1059 Diesel Fuel

Make / Model:

- 2017 Freightliner 114SD Right Hand Drive Refuse & Recycling Collection Truck
\$50,000 lump sum payment

On call of the vote, the motion carried 8/0.

NEW BUSINESS

Revisions to Adopted Budget for 2022-23 Fiscal Year

MOTION By Angie Parkinson
seconded by Tom Rup
to adopt the following revised receipts for the 2022-23 uniform fiscal year in accordance with Section 6.4(b) of the Town Charter as follows:

Grand List as of October 1, 2021:

Real Estate and Personal Property	3,125,896,992
Motor Vehicles	369,433,530

Tax Collection Rate	97.31%
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Mill Rate Setting Generating Taxes of:

Real Estate and Personal Property	123,599,226
Motor Vehicles @ 32.46	11,668,993
Totaling (incl Suppl MV)	135,268,219

(Local Elderly, Veteran's Leased Engines Relief)	(520,000)
Other Receipts	69,683,858

Total Revenue	204,432,077
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Motion carried 8/0.

MOU Operation Fuel Energy Assistance Program

MOTION By Sebrina Wilson
seconded by John Morrison
to adopt the following resolution:

WHEREAS; Operation Fuel provides emergency energy and utility assistance to households in Connecticut that are facing financial crisis; and

WHEREAS; this assistance is critical to many East Hartford residents who are struggling financially and facing difficulties in paying their utility bills; and,

WHEREAS; Operation Fuel, Inc. has requested the Town's assistance in administering their energy/utility assistance programs;

NOW THEREFORE LET IT BE RESOLVED; that Michael P. Walsh, 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 as they pertain to this grant.

On call of the vote, the motion carried 8/0.

Board of Education Capital Reserve Fund

MOTION By Harry Amadasun
seconded by Tom Rup

in accordance with Article 7, Section 10-38 of the Town of East Hartford Code of Ordinances, the Town Council **approve** the Board of Education's request to expend \$1,883,584 or such lesser amounts as deposited based on the proceeds as forwarded by the Board of Education from the Board of Education's Capital Reserve Account for the purposes of funding capital improvements and other general improvement projects which are all consistent with the projects contained in the district's approved Capital Improvement Plan.

Motion carried 8/0.

ARPA Allocation for Arts Project: Threads of Assumption

MOTION By Harry Amadasun
seconded by Angie Parkinson

that the Town Council appropriate \$36,000 from the town's allocation of the American Rescue Plan Act funds (ARPA) from category 6.10 entitled "Provision of Government Services" to secure the program "Threads of Assumption."

Motion carried 8/0.

Bid Waiver: Main Street/King Court Storm Water Infrastructure Project

MOTION By Awet Tsegai
seconded by Travis Simpson
to adopt the following resolution:

WHEREAS, the U.S. Department of the Treasury has allotted the Town \$24,561,068 in American Rescue Plan Act ("ARPA") funding; and

WHEREAS, the Town wishes to utilize \$900,000 in previously-allocated ARPA funds for to improve storm water drainage infrastructure in the area of Main Street and King Court; and

WHEREAS, the Town requires assistance with the undertaking of the Main Street/King Court Storm Water Infrastructure Project (the "Project"); and

WHEREAS, as provided by Connecticut General Statutes § 32-602(a)(8), the Capital Region Development Authority's ("CRDA") purpose includes: "upon request-from-the legislative body of a city or town within the capital region, to work with such city or town to assist in the development and redevelopment efforts to stimulate the economy of the region and increase tourism"; and

WHEREAS, the Town would like to utilize the services of CRDA such that CRDA will act as the Town's manager for the Project, assisting with the planning, design, bidding, contracting, contractor payments, monitoring, and other activities associated with the Project; and

WHEREAS, CRDA has already performed these functions for the first two phases of this overall storm water project that were funded by other sources; and

WHEREAS, CRDA has appropriate employees and contractors with the skill sets necessary for administration of the Project,

NOW THEREFORE BE IT RESOLVED: That the Town Council waive the bidding requirements of Town Ordinances Section 10-7, and authorize the Mayor to enter into a Memorandum of Understanding with CRDA relating to Administration Services with respect to the Project.

On call of the vote, the motion carried 8/0.

Grant Applications

2022 Neighborhood Assistance Act

MOTION By Sebrina Wilson
 seconded by Awet Tsegai
 to adopt the following resolution:

WHEREAS, the Connecticut Neighborhood Assistance Act Tax Credit Program provides State of Connecticut tax credits to businesses who contribute to community programs benefiting low income or persons with disabilities in such areas as: job training, job education, community services, and energy conservation, and;

WHEREAS, twenty-four proposals have been received from area agencies, listed on the 2021 State of Connecticut Neighborhood Assistance Act Proposal Summaries sheet as attached, and have requested to be included in the 2022 State of Connecticut tax credit program through the Town of East Hartford, and;

WHEREAS, a Public Hearing to present these applications was held on May 16, 2022, as required by the State of Connecticut.

NOW, THEREFORE, LET IT BE RESOLVED: That Michael P. Walsh, Mayor of the Town of East Hartford, is authorized to forward these applications to the State of Connecticut Department of Revenue Services for their review and inclusion into the 2022 Neighborhood Assistance Act Tax Credit Program.

On call of the vote, the motion carried 8/0.

Emergency Food and Shelter Program

MOTION By Sebrina Wilson
 seconded by Angie Parkinson

to adopt the following resolution:

WHEREAS; The Emergency Food and Shelter Program was created by Congress to help meet the needs of hungry and homeless people throughout the United States and its territories by allocating federal funds for the provision of food and shelter and

WHEREAS; the Town of East Hartford is eligible to apply for funds to provide rent, mortgage and utility payment assistance for low income East Hartford residents;

NOW THEREFORE LET IT BE RESOLVED; that Michael P. Walsh, 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 National Board of the EFSP as they pertain to this EFSP grant.

On call of the vote, the motion carried 8/0.

Suspense List: Grand List Year 2018 – Personal Property, Motor Vehicle and Motor Vehicle Supplemental

MOTION By Angie Parkinson
seconded by Awet Tsegai
to **transfer** the uncollected personal property and motor vehicle – including motor vehicle supplemental – taxes on the 2018 Grand List as referenced in a memo dated May 18, 2022 from Iris Laurenza, Collector of Revenue, to Michael P. Walsh, Mayor to the suspense rate book in the total amount of \$517,880.27 as follows:

Personal Property	Grand List Year 2018	\$ 56,672.37
Motor Vehicle	Grand List Year 2018	\$ 461,207.90

Motion carried 8/0.

Senior Farmers' Market Voucher Program Agreement

MOTION By Angie Parkinson
Seconded by Harry Amadasun

to **approve** the Town of East Hartford to enter into an agreement with the Connecticut Department of Agriculture for the Department of Health & Social Services to serve as a local coordinating agency for the Senior Farmers' Market Nutrition Program as recommended by Laurence Burnsed, Director of Health and Social Services in a memo to Mayor Michael P. Walsh dated May 20, 2022.

Motion carried 8/0.

Setting of Public Hearing Date re: Enterprise Zone Expansion

MOTION By Sebrina Wilson
Seconded by Tom Rup

to **set a public hearing** date of June 21, 2022 @ 7:15 pm in Town Council Chambers as well as via the Teams platform to hear public comment on the municipal enterprise zone and revisions to sections 2-117 and 2-118 of town Ordinances with language that is consistent with the draft dated May 31, 2022 as recommended the May 31, 2022 Ordinance Committee meeting.

Motion carried 8/0.

Recommendations from Fees Committee:

WIC Lease Agreement

MOTION By Harry Amadasun
seconded by Awet Tsegai

to **approve** the Draft Lease for the WIC program space at the Community Cultural Center as provided by Mayor Michael P. Walsh in a memo to Town Council Chair Richard Kehoe in a memo dated March 25, 2022.

Motion carried 8/0.

Bulky Waste Collection Fees

MOTION By Harry Amadasun
seconded by Awet Tsegai

Move that, effective July 1, 2022, the fees for bulky waste curbside pick up shall be as follows:

1. Bulky waste pick up is limited to those properties eligible for municipal solid waste pick up.
2. For one and two family residences, there are two free bulky waste pick ups annually, each year starting on July 1st and ending on June 30th.
3. For three to six family residences, there are four free bulky waste pick ups annually, each year starting on July 1st and ending on June 30th.
4. The fee for any additional bulky waste pick ups for one to six family residences shall be \$25.
5. Each bulky waste pick up shall consist of no more than six eligible items. The town shall publish on its website the list of eligible items for pick up.

Motion carried 8/0.

Amusement Permits

Juneteenth Celebration

MOTION By Awet Tsegai
seconded by John Morrison

to **approve** the outdoor amusement permit application entitled "Juneteenth Celebration" as submitted by Scott Sansom, Chief of Police, scheduled for

June 18, 2022 from 11:00 am- 3:00 pm at Town Green/Memorial Park with a rain date of Sunday June 19, 2022 with the same hours, subject to compliance with adopted codes and regulations of the State of Connecticut, the Town of East Hartford, and any other stipulations required by the Town of East Hartford or its agencies.

Motion carried 8/0.

East Hartford's Back to School Rally

MOTION By Awet Tsegai
seconded by Angie Parkinson

to **approve** the outdoor amusement permit application entitled "East Hartford's Back to School Rally" as submitted by Scott Sansom, Chief of Police, scheduled for Wednesday, August 10, 2022 from 4:00 pm to 6:30 pm at Town Green and Gazebo, with a rain date of Thursday August 11, 2022 with the same hours subject to compliance with adopted codes and regulations of the State of Connecticut, the Town of East Hartford, and any other stipulations required by the Town of East Hartford or its agencies.

Motion carried 8/0.

Annual Car Show

MOTION By Angie Parkinson
seconded by John Morrison

to **approve** the outdoor amusement permit application entitled "Annual Car Show" as submitted by Scott Sansom, Chief of Police, scheduled for Saturday, July 16, 2022 from 1:00 pm to 4:00 pm at Sunset Ridge Middle School located at 450 Forbes Street, with a rain date of Sunday, July 17, 2022 with the same hours subject to compliance with adopted codes and regulations of the State of Connecticut, the Town of East Hartford, and any other stipulations required by the Town of East Hartford or its agencies.

Motion carried 8/0.

Sounds of Summer Concert Series

MOTION By Angie Parkinson
seconded by Travis Simpson

to **approve** the outdoor amusement permit application entitled "Sounds of Summer Concert Series" as submitted by Scott Sansom, Chief of Police, to be held at the Amphitheater located in Great River Park scheduled for the following Thursdays: June 23, July 7, July 14, July 21, July 28 and August 4th from 6:00 to 8:00 pm, with rain dates of Thursdays August 11 and August 18, 2022 with the same hours, subject to compliance with adopted codes and regulations of the State of Connecticut, the Town of East Hartford, and any other stipulations required by the Town of East Hartford or its agencies.

Motion carried 8/0.

Refund of Taxes

MOTION By Harry Amadasun
seconded by Tom Rup
to approve a total refund of taxes in the amount of \$13,799.96
pursuant to Section 12-129 of the Connecticut General Statutes.

Motion carried 8/0.

Bill	Name	Address	City/State/Zip	Prop Loc/Vehicle Info.	Over Paid
2020-03-0054235	BRINSON JASMIN J	39 NOD RD	WINDSOR, CT 06095	2004/1NXBR38E742337792	-115.20
2019-03-0054939	BURK CHRISTOPHER J	6 COTTAGE ST	EAST HARTFORD, CT 06108-3719	2005/4548P61C957364704	-8.79
2020-01-0002170	CAMARO EMILE C CAMARCO CYNTHIA	13 ANDERSON RD	TOLLAND, CT 06084	74 BROOKFIELD DR	-1,915.97
2020-03-0055790	CASTILLO MARIA I CASTILLO MANUEL N	9 WHITE OAK DR	COLCHESTER, CT 06415-1962	2010/1FTFW1EV6AKB48825	-220.05
2020-03-0055791	CASTILLO MARIA I CASTILLO MANUEL N	9 WHITE OAK DR	COLCHESTER, CT 06415-1962	2019/1HGCV1F30KA128114	-399.60
2020-03-0055948	CCAP AUTO LEASE LTD	1601 ELM ST STE 800	DALLAS, TX 75201-7260	2020/1C4RFL7LC16448B	-339.84
2018-01-0003273	CORELOGIC CENTRALIZED REFUNDS	PO BOX 9202	COPPELL, TX 75019	31 WHITEHALL DR	-6.01
2019-01-0009876	CORELOGIC CENTRALIZED REFUNDS	PO BOX 9202	COPPELL, TX 75019	21 PRESTON ST	-2,684.20
2020-03-0059818	DOLGENCORP LLC	100 MISSION RDG	GOODLETTSVILLE, TN 37072-2171	2018/1G1ZCS5TJF169159	-13.26
2020-03-0063639	GLOSS YESSENIA E	7 BERKELEY LN	EAST HARTFORD, CT 06118-1602	2012/WA31FAFP7CA126886	-53.64
2020-03-0066143	HONDA LEASE TRUST	1919 TORRANCE BLVD	TORRANCE, CA 90501-2722	2019/5FHYF6H52K8035700	-687.07
2020-03-0072549	MELO-ALFONSO SANDRA L	7351 EAST BEVERLY DR	TUSCAN, AZ 85710	2011/454BR8GC9B1353386	-267.75
2019-03-0074299	MIRANDA ADAN	55 SPRING ST	NEW BRITAIN, CT 06051	2005/1GZZH57N784114181	-158.85
2020-03-0051755	MORRISON ANNE	143 PENNEY DR	EAST HARTFORD, CT 06118-1618	2009/2G1WTS7K591201988	-22.95
2020-03-0074639	NISSAN INFINITI LT LLC	PO BOX 650214	DALLAS, TX 75265-9523	2017/1N4A6AF7HC413050	-611.10
2020-03-0074747	NISSAN INFINITI LT LLC	PO BOX 650214	DALLAS, TX 75265-9523	2017/1N8A72MVOHW028343	-480.33
2020-03-0074754	NISSAN INFINITI LT LLC	PO BOX 650214	DALLAS, TX 75265-9523	2018/5N1DR2NM3JC627707	-466.42
2020-04-0085482	NISSAN INFINITI LT LLC	PO BOX 650214	DALLAS, TX 75265-9523	2020/1N1BJ1CW6LW651097	-619.25
2019-01-0011820	PRIEST SEAN PRIEST MARY	2 ALEXANDER CHASE APT B	SPARKS, MD 21152	216 SANDRA DR	-2,571.13
2019-03-0084567	SOTO JUSTIN	23 AULSON LN	WETHERSFIELD, CT 06109-3823	2013/1HGCR2F37DA041873	-225.4
2020-04-0089115	TOYOTA LEASE TRUST	20 COMMERCE WAY STE 800	WOBURN, MA 01801-1057	2018/JTMJFREY2J3731522	-206.55
2020-04-0089141	TOYOTA LEASE TRUST	20 COMMERCE WAY STE 800	WOBURN, MA 01801-1057	2021/JTHGZ1E2EM5019407	-611.41
2020-04-0089169	TOYOTA LEASE TRUST	20 COMMERCE WAY STE 800	WOBURN, MA 01801-1057	2020/1M3KFBDM5L0842926	-995.85
2020-04-0089560	VW CREDIT LEASING LTD	1401 FRANKLIN BLVD	LIBERTYVILLE, IL 60048	2021/WAUAAAF43MA029170	-119.34
TOTAL					<u>\$ (13,799.96)</u>

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

Councillor Morrison requested an update on the upcoming Town Hall move. *The Mayor shared that a bid has been posted but a contractor has yet to be selected for the project. Preparation for the relocation at the Cultural Center will begin in August. All departments should be fully ready to move in late October into early November.*

Councillor Tsegai asked when the Russell restaurant located on Main Street is scheduled to open. *The Mayor stated that an update will be provided at the next council meeting.*

COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

OPPORTUNITY FOR RESIDENTS TO SPEAK

ADJOURNMENT

MOTION By John Morrison
 seconded by Tom Rup
 to **adjourn** (10:27 p.m.)
 Motion carried

The Chair wished all a good evening and announced that the next regular meeting of the Town Council would be June 21, 2022.

Attest



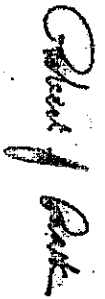
Jason Marshall
TOWN COUNCIL CLERK

TOWN COUNCIL CHAMBERS
TOWN COUNCIL/CHARTER REVISION COMMISSION
SPECIAL MEETING

June 13, 2022

TOWN CLERK
EAST HARTFORD

2022 JUN 16 AM 10:10



PRESENT Town Council: Chair Richard Kehoe, Vice Chair and Charter Revision Commission Chair Don Bell, Majority Leader Sebrina Wilson (Via Teams), Minority Leader John Morrison, Councillors Angie Parkinson, Awet Tsegai, and Harry Amadasun, Jr., Councillors and Commissioners Thomas Rup and Travis Simpson

Charter Revision Commissioners: Deb Arrieta, Richard Bates, Shelby Brown (via Teams), Eric Thompson, Angel Santiago (via Teams), and Marcia Leclerc

ABSENT

CALL TO ORDER

The Joint Special Meeting was called to order at 6:35 pm by Town Council Chair Richard Kehoe to review the Town Council's recommendations to the Charter Revision Commission Draft Report. The Chair announced the exit locations in accordance with Connecticut General Statutes §29-381.

Charter Revision Commission Chair Don Bell then called to order the Charter Revision Commission members at 6:35 pm.

Chair Kehoe took a moment to acknowledge to passing of former East Hartford Mayor Melody Currey. The Council and Commission took a moment of silence to honor Ms. Currey.

Chair Kehoe briefed the Councillors and Commissioners on the revisions made in the Charter Revision Commission's draft report that was provided to the Council in April. The Chair then made note of additional recommendations that the Council provided back to the Commission in May, highlighting changes that included (1) the removal of pronouns and using titles and position names instead; (2) more consistency in references to Town Council; (3) clarity of meaning of "office of profit under town government"; (4) a provision to move the first council meeting in November after a Municipal Election to a Tuesday when there is a conflict with Veterans Day holiday; and (5) section references within the Charter were made more uniform and accurate. Chair Kehoe then opened up the meeting for questions from the Commission.

Commissioner Bates requested clarification of why the Town Council would be referred to as "the Council" within the Charter. *Chair Kehoe explained that in Section 3.1 the Charter specifically states that going forward in the document, the Town Council would be herein after referred to as "The Council."* Therefore, the Council made recommendations to remove the word "Town" for uniformity. Commissioner Bates proposed that all references should be defined as "Town Council" for clarity. The

councillors were in agreement with either council or town council as long as the term was used consistently throughout the charter

Commissioner Arrieta proposed that the discussed reference in Section 3.1 be removed to make the document be more cohesive, and use "Town Council" throughout the document

Commission Chair Bell advised that to properly reflect such change, a motion would be required in the upcoming Charter Revision Commission to amend the Commission's report to reflect all references to The Council be uniformly written as "The Town Council."

The Commission requested clarity regarding compensation for the Town Treasurer as according to the Charter, the Treasurer is able to contribute to the town's retirement system. *Chair Kehoe responded that the issue can be reviewed and clarified within Ordinance.*

Commissioner Brown acknowledged the concern regarding the issue but feels that the issue being raised at this point in the process is out of order given the substantive nature of the change and lack of time to discuss it in depth.

Commission Chair Bell requested detail on descriptive text that could be provided to the public that would help clarify the proposed changes made to the Charter. *Much like any referendum question, a "neutral document" explaining what the question is in an explanatory text would be made available. Chair Kehoe advised that the text could be posted on the town's website, along with a summary of changes to the Charter.*

Commissioner Arrieta asked what the specific questions would be on the ballot in November. *Chair Kehoe stated that the Council will make the decision of the wording that will be placed on the ballot. Given the recommendations provided are not controversial, the Chair suggested that a single clean question that makes mention of the prominent changes should be considered- depending on how long the question would read.*

Opportunity for Public Comment

No one came forward.

ADJOURNMENT

MOTION By John Morrison
seconded by Don Bell
to **adjourn** the Town Council Special Meeting (7:07).

Motion carried 9/0.

MOTION By Eric Thompson
seconded by Marcia Leclerc
to **adjourn** the Charter Revision Commission Special Meeting (7:08).

Motion carried 9/0.



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 10, 2022
TO: Richard F. Kehoe, Chair
FROM: Mayor Michael P. Walsh
RE: COMMUNICATION: Presentation by Indigo Golf Partners


A handwritten signature in black ink, appearing to read "M Walsh", is written over the "TO:" and "FROM:" lines of the memo.

Please set aside time for a Golf Course Presentation by the staff from Indigo Golf Partners (formerly Billy Casper Golf) at the June 21st, Town Council Meeting.

They will update the Town Council on the condition of the course financially and playability wise in a brief presentation.



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 9, 2022
TO: Richard F. Kehoe, Chair
FROM: Michael P. Walsh 
RE: RESIGNATION: Boards and Commissions

Attached is a letter received by my office from an individual who is resigning from his position as a full member on the Historic District Commission.

D Gary LeBeau Historic District Commission (5 yrs.) Full Member

Please place this resignation on the June 21, 2022 Town Council agenda and share our appreciation as a community for the valuable service he has provided by volunteering his time on the above mentioned commission.

C: R. Pasek, Town Clerk

From: O'Sullivan, Paul <posullivan@easthartfordct.gov>
Sent: Thursday, June 9, 2022 9:00 AM
To: Martin, Connor <CMartin@easthartfordct.gov>
Subject: FW: Historic District Commission Meeting CANCELLED

Connor:

Below is the email I received from Gary LeBeau concerning the Historic District Commission. Since he has moved out of Town, he can no longer serve.

Let me know if you want to discuss.

Paul

Paul M. O'Sullivan
Grants Manager
Town of East Hartford

From: Gary LeBeau <garylebeau@yahoo.com>
Sent: Thursday, May 5, 2022 11:20 AM
To: O'Sullivan, Paul <posullivan@easthartfordct.gov>
Subject: Re: Historic District Commission Meeting CANCELLED

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Paul,
Thank you for the communication. However I have resigned from the historic District commission because I have moved to South Glastonbury.

I sent a copy to the mayor the town council chairman, and the town clerk.

Someone should have notified you. In lieu of that, I am notifying you.

Gary LeBeau,

Sent from my iPhone

On May 5, 2022, at 9:45 AM, O'Sullivan, Paul <posullivan@easthartfordct.gov> wrote:

Dear Commission Members:

The Historic District Commission meeting scheduled for Tuesday, May 10, 2022 has been cancelled due to lack of business. The next scheduled meeting will be held on Tuesday, June 14th at 7:00 p.m. in



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 15, 2022
TO: Richard F. Kehoe, Chair
FROM: Mayor Michael P. Walsh
RE: Year-end Results, Transfers and Year-end Narratives

The attached interdepartmental budget transfers will need to be approved by the Town Council by the end of the fiscal year, June 30, 2022. Finance Director Melissa McCaw has provided a list of the departments and amounts that are needed to end the year in the black.

In addition, please find the attached preliminary year-end financial results. Please be advised, this is a placeholder and the packet will be updated with final numbers on June 21st.

Please place this item on the Town Council agenda for the June 21, 2022 meeting.

C: M. McCaw, Finance Director



MEMORANDUM

DATE: June 14, 2022

TO: Michael P. Walsh, Mayor

FROM: Melissa N. McCaw, Director of Finance

TELEPHONE: (860) 291-7246

RE: **Year-end Financial Results, Interdepartmental Transfers, Year-end Narratives**

By way of this memo, attached please find the following documents:

1. Preliminary Fiscal Year 22 Year-End Financial Results
2. Fiscal Year 22 Interdepartmental Budget Transfers
3. Fiscal Year 22 Year-End Transfer Narratives
4. Fiscal Year 22 Supplemental Budget Appropriation

The Town Council must approve the Interdepartmental Budget Transfers and the Supplemental Budget Appropriation by June 30th so that we may close the books for the fiscal year ending June 30, 2022 in anticipation of the annual audit.

Accordingly, please forward these documents along to the Town Council for action at the June 21st meeting.

Should you have any questions, please do not hesitate to contact me. Thank you.



MEMORANDUM

DATE: June 14, 2022
TO: Michael P. Walsh, Mayor
FROM: Melissa N. McCaw, Director of Finance
TELEPHONE: (860) 291-7246
RE: Preliminary Fiscal Year 22 Year-End Financial Results

By way of this memo, below please find a summary of the preliminary year-end financial results for the Town of East Hartford.

The Budget:

Original - Fiscal Year 22	\$ 201,151,106
Fund Balance Transfers:	<u>2,167,799*</u>
Revised - Fiscal Year 22	<u>\$ 203,318,905</u>

*OPEB transfer

Revenues: Favorable and (Unfavorable) to Budget

State PILOT	1,646,548
FEMA Reimbursement (FY21 Expense)	716,266
Distressed Municipalities Grant	81,969
Town Clerk Conveyance and Recordings	811,698
Public Safety Collections	158,028
Tax Collections	(1,387,804)
Building Permit Fees	(177,623)
Short Term Inv Income	(386,848)
Workers Comp Insurance Refunds & Misc	(242,732)
All Other	51,674

Net Favorable (Unfavorable) Revenue Adjustments to Budget \$ 1,271,176

Expenses

Net Unfavorable Expense Adjustments to Budget \$ 593,832

Fund Balance (in millions):

Assigned and Unassigned Fund Balance at June 30, 2021	\$ 23.095M
Less: OPEB Fund Balance transfer	(2.168M)
Add: Favorable projected revenue variance	1.271M
Less: Unfavorable projected expenditure variance	<u>(0.594M)</u>
Subtotal Adjustments	(\$1.490M)
Projected Assigned and Unassigned Fund Balance at June 30, 2022	<u>\$ 21.604M</u>

As a percentage of budget, Fund Balance is at 10.6%. I would like to emphasize that these numbers are still very preliminary and are subject to review and adjustment by our auditors. A revised package will be provided on or before 6/21/22 reflecting any adjustments in payroll and non-personnel commitments.

Please feel free to let me know if you have any questions with any of the information presented above.



MEMORANDUM

DATE: June 13, 2022

TO: Michael P. Walsh, Mayor

FROM: Melissa N. McCaw, Director of Finance

TELEPHONE: (860) 291-7246

RE: Interdepartmental Transfers for the Fiscal Year Ending June 30, 2022

Attached please find a list of \$1.9 million in interdepartmental transfers to be approved by the Town Council by June 30, 2022 to allow each town department to balance and close the fiscal year "in the black."

General Fund - Transfers To:

Corporation Counsel - \$58k: This transfer will provide funding for outside legal expenses related to employment issues during the year.

Development - \$18K: This transfer will provide funding for one-time costs to complete a survey of the former McCartin School property for future development of properties for homeownership.

Benefits and Insurances - \$479K: This transfer will provide additional funds in the Workers Compensation internal service fund based on claims trend and a substantial settlement in FY2022. This transfer will provide additional funds in the town's Property and Liability Insurance fund to increase the starting fund balance in FY2023.

Fire - Suppression - \$653K: This transfer will provide funding for overtime due to COVID quarantines and the carryover of vacation time into FY2022 due to limited use in the prior year during the pandemic.

Health and Social Services - \$126K

Social Services - \$88K: This transfer will provide funding for emergency services, which is primarily used to pay for hotel lodging for tenants displaced from their home due to code enforcement actions.

Environmental Health - \$38K: This transfer covers the costs associated with administering the mosquito control program to reduce mosquito activity on municipal properties, as well as our storm water drain system. Mosquito control is to reduce the risk of EEE and WNV

transmission. The mosquito spraying program typically begins late April and continue until the first hard freeze late Fall. Last year, and the beginning of this mosquito season has been very active with application of both larvicide and adulticides spraying.

Human Resources - \$67K: This transfer will provide funding for additional costs due to required salary continuation, vacation payout costs and hiring expenses including background checks and physicals.

Mayor's Office - \$22K: This transfer will provide funding for vacation payout expenses.

Police - \$500K: This transfer will provide funding for additional overtime costs due to the impact of COVID and new statutory training mandates.

Registrar of Voters - \$0.1K: This transfer will cover a small anticipated shortfall in salary expenses due to additional temporary work.

General Fund - Transfers From:

Commissions - Economic Development Board - \$52K: This transfer is available due to lower expenditures throughout the boards and commission.

Contingency - \$254K: This transfer is available as intended to offset unanticipated year end expenditures.

Capital - Debt Services Energy - \$0.8K: This transfer is available due to lower expenditures based on the final lease payment schedule.

Inspections & Permits - \$164K: This transfer is available due to lower expenditures predominately in Permanent Services due to vacant positions.

Library - \$96K: This transfer is available due to lower expenditures predominately in Permanent and Temporary Services due to vacant positions.

Parks and Recreation - \$249K:

This transfer is available due to lower expenditures in permanent services, seasonal wages, cleaning supplies and contracted services for facilities and seasonal programs (\$79K), lower than budgeted utility expenses (\$70K) and a successful Golf Course season which did not require a subsidy payment (\$100k).

Senior Services - \$91K: This transfer is available due to lower expenditures throughout the department predominately in permanent services due to vacancies and reduced Dial-A-Ride services.

Probate Court - \$9K: This transfer is available due to lapsing funds in printing services.

Public Works - \$945K:

Permanent Services - \$636K: This transfer is available due to vacancies in Administration, Engineering, Highway Services, Fleet Services and Building Maintenance.

MDC Assessment - \$268K: This transfer is available to a lower than budgeted annual assessment for water.

Public Safety Complex - \$13K: This transfer is available due to lower than budgeted expenditures for Equipment Maintenance and Repair, which is used on an as-needed basis.

Facilities - Grounds Equipment - \$27K: This transfer is available due to lower than budgeted expenditures in Grounds Equipment.

Town Clerk - \$1.8K: This transfer is available due to a small lapse in Permanent Services.

Town Council - \$20K: This transfer is available in various operating expense line items, including ad-hoc internal audit services, advertising and printing.

Youth Services - \$41K: This transfer is available due to a vacancy and delay in refill due to competitive labor market.

Should you have any questions on the aforementioned, please let me know.

The Town of East Hartford
 For the Fiscal Year Ending June 30, 2022
 Year-End Budget Transfers

14-Jun-22

General Fund To		
Account Number	Name	Amount
G2200 63230	Corp Counsel - Legal	(57,939)
G4100 63138	Development - Contractual Services	(17,748)
G3800 61456	Finance - Employee Benefits - Workers Compensation	(478,541)
G5317 60141	Fire Supression Overtime	(652,520)
G9200 63402	Health - Social Services - Emergency Services	(88,273)
G9300 63138	Health - Environmental Health - Contractual Services	(38,116)
G2300 60110	Human Resources - Permanent Services	(12,355)
G2300 63129	Human Resources - Consultant Services	(55,000)
G2100 60110	Mayor's Office - Permanent Services	(22,987)
G5203 60141	Police - Overtime	(500,763)
G1300 60110	Registrar of Voters	(100)
	TOTAL	<u>(1,924,342)</u>
General Fund From		
Account Number	Name	Amount
G9841 63138	Economic Development Board	52,167
G9600 63492	Contingency - Reserve for Contingency	254,232
G9700 63258	Capital Improvements - Debt Service Energy	799
G6100 60110	Inspections and Permits - Permanent Services	163,896
G2400 60110	Library - Permanent Services	77,098
G2400 60121	Library - Temporary Services	19,000
G8100 60110	Parks - Permanent Services	12,964
G8100 67300	Parks - Golf Course Subsidy	100,000
G8300 60124	Parks - Seasonal Labor	34,000
G8300 62346	Parks - Facilities - Cleaning Supplies	8,000
G8300 63138	Parks - Facilities - Contractual Services	23,789
G8300 65252	Parks - Facilities - Electricity	70,019
G9430 63138	Senior Services - Contractual Services	91,560
G2500 63221	Probate Court - Printing	9,072
G7100 60110	Public Works - Administration - Permanent Services	43,168
G7200 60110	Public Works - Engineering - Permanent Services	52,604
G7300 60110	Public Works - Highway Services - Permanent Services	336,534
G7700 60110	Public Works - Fleet Services - Permanent Services	129,360
G7800 60110	Public Works - Building Maintenance - Permanent Services	74,739
G7802 63236	Public Works - Public Safety Complex - Equipment Maintenance	13,271
G7900 65400	Public Works - Metropolitan District Assessment	268,200
G8200 64510	Public Works - Park & Rec Maintenance - Grounds Equipment	27,215
G1200 60110	Town Clerk - Permanent Services	1,844
G1100 63134	Town Council- Internal Audit Services	14,009
G1100 63214	Town Council- Advertising	2,500
G1100 63221	Town Council- Printing	3,500
G2600 60110	Youth Services - Permanent Services	40,802
	TOTAL	<u>1,924,342</u>

The funds being transferred are certified as available and unobligated.

Melissa N. McCaw, Finance Director

Michael P. Walsh

Jason Marshall, Town Council Clerk

Dated this 21st day of June, 2022

**RESOLUTION CONCERNING A SUPPLEMENTAL BUDGET APPROPRIATION AND FUND
BALANCE TRANSFER TO FUND A YEAR-END DEFICIT IN THE GENERAL FUND FOR THE
FISCAL YEAR ENDING JUNE 30, 2022**

WHEREAS, the Town of East Hartford has experienced higher than budgeted costs for unbudgeted Firefighter overtime costs due to required minimum manning and the impact of COVID and carryover vacation allocations on staffing, and

WHEREAS, these expenses have been or will be paid from the Town's General Fund by June 30, 2022, and

WHEREAS, as a result of the aforementioned, it is necessary for the Town of East Hartford to set aside additional budget contributions to fund a projected General Fund deficit in fiscal year 2021-22.

NOW THEREFORE BE IT RESOLVED, that the East Hartford Town Council does hereby approve this Supplemental Budget Appropriation of funds in the amount of \$593,832 from the Town's Undesignated Fund Balance for the purpose of funding a fiscal year 2021-22 deficit as listed below and does hereby amend the current 2021-22 fiscal year Operating Budget to reflect the attached Supplemental Revenue Appropriation and Expenditure Appropriation.

G0320-55900	Fund Balance Appropriation	593,832
G5317-60141	Fire Suppression - Overtime	593,832

I, Jason Marshall, Clerk of the Town Council of the Town of East Hartford, certify that the above resolution was approved at a meeting of the Town Council held on June 21, 2022.

Jason Marshall, Clerk of the Town Council


Funds certified as unobligated and available.

Signed: _____ Dated: _____
Michael P. Walsh, Mayor

Signed: _____ Dated: _____
Melissa N. McCaw, Director of Finance



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 10, 2022
TO: Richard F. Kehoe, Chair
FROM: Mayor Michael P. Walsh 
RE: RESOLUTION: Adjustments to American Rescue Plan Act (ARPA) Account Reallocations


Please find enclosed a resolution requesting reallocation of funds among several American Rescue Plan Act (ARPA) account.

Please place this item on the Town Council agenda for the June 21, 2022 meeting. I recommend that the Town Council approve the resolution as submitted.

C: E. Buckheit, Development Director
P. O'Sullivan, Grants Manager
M. McCaw, Finance Director

GRANTS ADMINISTRATION
MEMORANDUM

TO: Mayor Michael P. Walsh

FROM: Paul O'Sullivan, Grants Manager 

SUBJECT: Request for Council Action – Adjustments to American Rescue Plan Act (ARPA) Account Reallocations

DATE: June 10, 2022

Attached is a draft Town Council resolution reallocating funds among several American Rescue Plan Act (ARPA) Account

The changes are as follows:

1. Transfer \$1,865,000.00 from “Renovation of North End Community Center” to “ARPA Unallocated Balance”

The Department of Public Works has recommended that no further renovations of the North End Senior Center (30 Remington Road) be undertaken at this time pending the development of a comprehensive program and defined use for the facility.

2. Transfer \$3,000.00 from “COVID-19 Response Retroactive Pay: East Hartford Police Officers’ Association” to “ARPA Unallocated Balance”

This project has been completed. Remaining funds are residual and should be made available for reallocation to other projects.

3. Transfer \$63,755.00 from “COVID-19 Response Retroactive Pay: Local 1174, Council 4, AFSCME, AFL-CIO” to “ARPA Unallocated Balance”

This project has been completed. Remaining funds are residual and should be made available for reallocation to other projects.

This will result in the following balances in these accounts:

Renovation of North End Community Center - \$0.00

COVID-19 Response Retroactive Pay: East Hartford Police Officers’ Association - \$0.00

COVID-19 Response Retroactive Pay: Local 1174, Council 4, AFSCME, AFL-CIO - \$0.00

ARPA Unallocated Balance - \$1,931,755.00

I respectfully request that this item be placed on the Town Council agenda for their meeting to be held on June 21, 2022. Please contact me at extension 7206 if you have any questions.

Attachments: as stated

Cc: Eileen Buckheit, Development Director
Melissa McCaw, Finance Director

I, Jason Marshall, the duly appointed Clerk of the Town Council of the Town of East Hartford, a corporation organized and existing under the laws of the State of Connecticut, hereby certify that the following is a true copy of a resolution adopted at a meeting of the East Hartford Town Council of said corporation, duly held on the 21st day of June, 2022

RESOLUTION

WHEREAS; the Town has been awarded \$24,561,068 in American Rescue Plan Act (ARPA) funds from the U.S. Treasury; and

WHEREAS; in order to most effectively use these funds, reallocations among project accounts are periodically necessary;

NOW THEREFORE LET IT BE RESOLVED; that Michael P. Walsh, Mayor of the Town of East Hartford, is authorized to make the following transfers among ARPA Accounts:

1. Transfer \$1,865,000.00 from "Renovation of North End Community Center" to "ARPA Unallocated Balance"
2. Transfer \$3,000.00 from "COVID-19 Response Retroactive Pay: East Hartford Police Officers' Association" to "ARPA Unallocated Balance"
3. Transfer \$63,755.00 from "COVID-19 Response Retroactive Pay: Local 1174, Council 4, AFSCME, AFL-CIO" to "ARPA Unallocated Balance"

AND I DO CERTIFY that the above resolution has not been in any way altered, amended, or repealed, and is now in full force and effect.


IN WITNESS WHEREOF, I do hereunto set my hand and affix the corporate seal of said Town of East Hartford the ____ day of June, 2022.

Seal

Signed: _____
Jason Marshall, Town Council Clerk



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 10, 2022
TO: Richard F. Kehoe, Chair
FROM: Mayor Michael P. Walsh 
RE: RESOLUTION: ARPA Allocation - Summer Youth Program Expansion

The Town of East Hartford is looking to expand its Summer Youth Program with the use of the American Rescue Plan Act (ARPA) funds. The goal is to increase the number of East Hartford children who can participate in an enrichment program during the summer of 2022, with an emphasis on children who were most impacted by the pandemic


The Town Council passed a resolution at its May 4, 2022 authorizing an application to the Connecticut Department of Education for funding to implement this program. That anticipated funding did not materialize. Approval of the attached resolution would ensure that the program moves forward as intended.

Please place this item on the Town Council agenda for the June 21, 2022 meeting. I recommend that the Town Council approve the resolution as submitted.

C: E. Buckheit, Development Director
P. O'Sullivan, Grants Manager
M. McCaw, Finance Director
S. Morgan, Library Director

GRANTS ADMINISTRATION
MEMORANDUM

TO: Mayor Michael P. Walsh

FROM: Paul O'Sullivan, Grants Manager 

SUBJECT: Council Resolution – ARPA Allocation: Summer Youth Program Expansion

DATE: May 28, 2022

Attached is a draft Town Council resolution identifying and funding the Summer Youth Program Expansion Program as an American Rescue Plan Act (ARPA) project.

The goal of this program is to increase the number of East Hartford children who can participate in an enrichment program during the summer of 2022, with an emphasis on children who were most impacted by the pandemic. It is designed specifically to address the social, emotional, and academic needs of children in East Hartford.

The Town Council passed a resolution at its May 4, 2022 authorizing an application to the Connecticut Department of Education for funding to implement this program. That anticipated funding did not materialize. Approval of the attached resolution would ensure that the program moves forward as intended.

Library Director Sarah Morgan will attend the meeting to answer any questions Council members may have regarding the program. I have attached an excerpt from the

I respectfully request that this item be placed on the Town Council agenda for their meeting to be held on June 21, 2022. Please contact me at extension 7206 if you have any questions.

Attachments: as stated

Cc: Eileen Buckheit, Development Director
Melissa McCaw, Finance Director
Sarah Morgan, Library Director

I, Jason Marshall, the duly appointed Clerk of the Town Council of the Town of East Hartford, a corporation organized and existing under the laws of the State of Connecticut, hereby certify that the following is a true copy of a resolution adopted at a meeting of the East Hartford Town Council of said corporation, duly held on the 21st day of June, 2022

RESOLUTION

WHEREAS; families with children in East Hartford have been disproportionately impacted by the COVID-19 Pandemic, and

WHEREAS; this impact has created the need for a Summer program designed to address the social, emotional, and academic needs of children in East Hartford,

NOW THEREFORE LET IT BE RESOLVED; that the Town Council designates the Summer Youth Program Expansion Project as a project to be funded by the Town's American Rescue Plan Act (ARPA) allocation

AND LET IT BE FURTHER RESOLVED; the Town Council appropriates \$72,500 from the town's unallocated balance of ARPA funds for the implementation of this project

AND I DO CERTIFY that the above resolution has not been in any way altered, amended, or repealed, and is now in full force and effect.

IN WITNESS WHEREOF, I do hereunto set my hand and affix the corporate seal of said Town of East Hartford the ___ day of June, 2022.

Seal

Signed: _____
Jason Marshall, Town Council Clerk

Summer Enrichment Proposal Narrative

Why does your program need this summer enrichment grant funding? Describe the students served, age levels, and particular need in this community/group of students.

Eligible children served will be from five Parks & Rec camp groups:

- Lil' Rec'ers (ages 4.5 – 6.5, entering grades K – 2)
- Fun Days (ages 6.5 – 9.5, entering grades 2–4)
- Explorers (ages 9.5–12.5, entering grades 5–7)
- Sunburst (ages 6 – 21, special needs)
- Teen camp (ages 12.5–15.5, entering grades 8–10)

Camp registration is limited to East Hartford residents and children of Town employees.

East Hartford has a diverse population. The majority of East Hartford residents are Black or brown, with only 33.4% identifying as “white, alone, not Hispanic or Latino” according to the latest Census data. In East Hartford, 38.7% of households speak a language other than English at home, and 15% live below the poverty line.

Families in East Hartford have been disproportionately impacted by COVID-19-associated morbidity and mortality, mirroring racial health disparities seen nationally. According to state data, 198 East Hartford residents have died from COVID-19, with 13,065 documented cases. On May 12, 2022, the case rate per 100,000 remained at 38.5.

Describe how your program will address the disproportionate impact of COVID-19 on student subgroups (children from low-income families, children with disabilities, English learners, migrant students, students experiencing homelessness, and children and youth in foster care).

Our partnership is designed to address the social, emotional, and academic needs of children in East Hartford an innovative camp program offered for the second year under the supervision of the Parks & Recreation Department, a license-exempt youth camp operator with years of experience in providing high-quality camp programs.

The Parks & Recreation Department will work in partnership with the East Hartford Public Library, East Hartford Youth Services, and the Connecticut Science Center to provide an enriching camp experience. Each of these institutions have unique experience in serving children from the subgroups listed above. This partnership seeks to leverage that experience through the lens of COVID-19 and create something new: a summer camp program that meets the needs of each subgroup, but never loses focus on the individual child. We have developed our plan with the support of, and in coordination with, the East Hartford Public Schools.

Our program will provide structure, support, learning, and fun for children affected by the upheaval, uncertainty, and trauma of the pandemic.

- **At the parks**

At the park site, campers will enjoy unstructured time for outdoor play, including swimming, as well as games, outdoor enrichment activities, and drumming and other structured activities presented by Parks & Rec staff and hired performers.

- **At the library**

The East Hartford Public Library will draw on its strength in youth programming to provide academic enrichment and hands-on activities including literacy, Makerspace, STEM, and arts & culture programs. The CT Science Center will also contribute to the lineup of indoor enrichment, coordinated by the library staff. Every child will be registered for the library's summer reading program and will be provided with opportunities for book selection and leisure reading. Part-time staff hired to execute this work will report to Sarah Kline Morgan, Director of Libraries.

- **Mental health**

A social worker will be embedded at each park site to provide support to campers and staff. This program will be administered by East Hartford Youth Services and the social workers will work under the supervision of Cephus Nolen, Director of Youth Services.

Inclusive and accessible

Through staff training, inclusive programming, and an affordable fee structure, the Town of East Hartford is committed to making camp as accessible as possible for all children, including children from low-income families, children with disabilities, English learners, and children of all races and genders. Parks & Recreation has worked in the past with DCF to enroll children under their supervision and will continue to do so. Children experiencing homelessness or otherwise without a fixed address may register for the program. To minimize the financial burden of camp, costs will be maintained this year at \$65/week for the 7-week program. In 2020, the basic Parks & Recreation camp (without the partnership elements) cost \$83/week, and in 2019, it was \$100.

Provide an overview of the summer program and specific enrichment programs offered, including any research or evidence to highlight the impact of the program on student outcomes.

Children will spend at least 50% of each day on enrichment activities, both indoor and outdoor.

Enrichment activities at the parks locations (as well as field trips) will be planned and directed by the Parks & Rec staff. The outdoor enrichment programming will include opportunities for children to choose their activity. Activities run by counselors will include options such as arts and crafts, nature activities (bug and tree identification, for instance), yoga, swim lessons, slime-making and other hands-on STEM activities/experiments, and Camp Olympics (in which campers represent specific countries and learn about them). The community outreach officers from the East Hartford Police Department will also provide programming.

Each week will include one trip to the library for enrichment, one additional off-site field trip, and at least one special program offered at the park or other outdoor location (Arts for Learning performer or library program).

Weekly enrichment activities at the library will be planned and directed by the library staff, and will include programming from the CT Science Center (see proposal). All campers will be registered in the library's summer reading program (part of the Governor's Summer Reading Challenge) and will log their reading (and receive prizes) while at camp. The Fun Days camp will be split into four groups for library visits: two groups will visit the library on Tuesday, and the remaining campers will visit on Wednesday.

Examples of planned enrichment modules at the library include:

- Puppetry (hand puppets, shadow puppets)
- LEGO robotics (WeDo/Mindstorms)
- Introduction to 3D printing/Tinkercad
- Stop-motion animation (clay/iPads)
- Engineering challenges (egg drop, bridges, tallest structure)
- Readers advisory (helping children to choose "best fit" books for leisure reading)
- Painting/collage/sculpture

Campers will travel their assigned camp staff to the library and will remain in these groupings for indoor enrichment in separate classroom spaces.

Start and end dates, operational hours

The camp will start on Monday, June 20 and conclude on Friday, August 5. The program will run Monday – Friday each week with the exception of Monday, July 4, when the program will be closed for the Independence Day holiday. Operational hours are 8:00 AM – 4:00 PM.



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 9, 2022
TO: Richard F. Kehoe, Chair
FROM: Mayor Michael P. Walsh
RE: RESOLUTION: Annual Per Capita Grant Allocation

The Town of East Hartford is looking to apply for the Annual Per Capita Grant Allocation from the Department of Public Health in the amount of \$98,460.88. The town is not required to provide a local match.

This funding supports direct services to Connecticut communities with a population over 50,000. East Hartford has not received this grant in the past two years due do the town's population dropping below 50,000.

Please place this item on the Town Council agenda for the June 21, 2022 meeting. I recommend that the Town Council approve the resolution as submitted.

C: E. Buckheit, Development Director
P. O'Sullivan, Grants Manager
L. Burnsed, Health Director

GRANTS ADMINISTRATION
MEMORANDUM

TO: Mayor Michael P. Walsh

FROM: Paul O'Sullivan, Grants Manager

SUBJECT: Council Resolution – 2023 CT Department of Public Health Per Capita Allocation

DATE: June 10, 2022

Attached is a draft Town Council resolution authorizing you as Mayor to apply to the state Department of Public Health for the Town's Per Capita grant allocation.

Per capita funding is provided to support direct services to Connecticut communities with a population over 50,000. Eligible services (a Basic Health Program) are outlined in CGS 19a-207a and are based on the Center for Disease Control's (CDC's) 10 essential public health services.

The Town has not received this grant for the past two years due to its population dropping below the 50,000 resident threshold. The most recent data from the Census Bureau put East Hartford's population over that level, (50,731), so the Town is once again eligible for this funding.

I respectfully request that this item be placed on the Town Council agenda for their meeting to be held on June 21, 2022. Please contact me at extension 7206 if you have any questions.

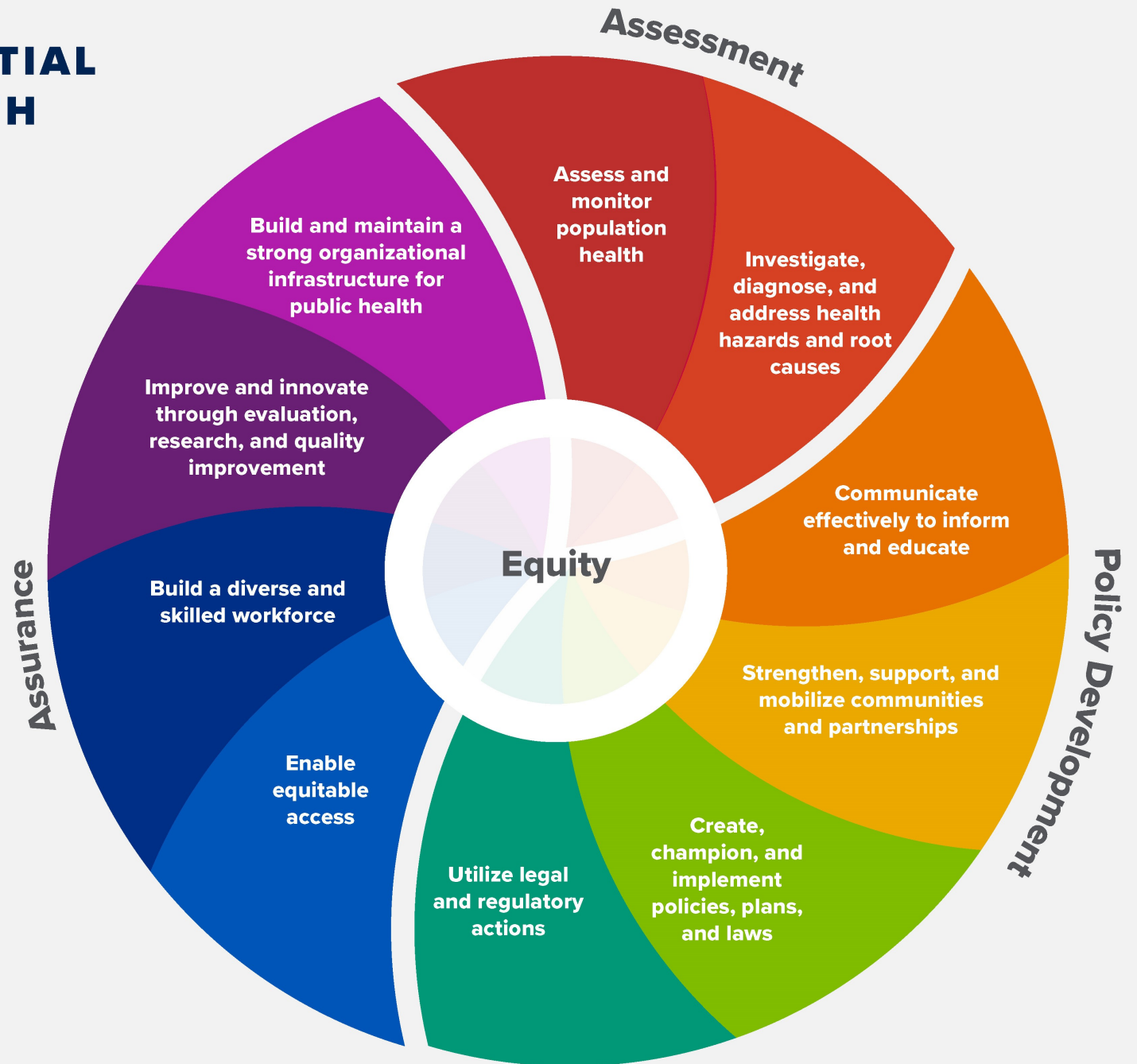
Attachments: as stated

Cc: Eileen Buckheit, Development Director
Laurence Burnsed, Health Director

THE 10 ESSENTIAL PUBLIC HEALTH SERVICES

To protect and promote the health of all people in all communities

The 10 Essential Public Health Services provide a framework for public health to protect and promote the health of all people in all communities. To achieve optimal health for all, the Essential Public Health Services actively promote policies, systems, and services that enable good health and seek to remove obstacles and systemic and structural barriers, such as poverty, racism, gender discrimination, and other forms of oppression, that have resulted in health inequities. Everyone should have a fair and just opportunity to achieve good health and well-being.



TOWN COUNCIL RESOLUTION
GRANT INFORMATION FORM

Grant Description: Annual Per Capita Grant Allocation

Funder: CT Department of Public Health

Grant Amount: \$98,460.88

Frequency: One time Annual Biennial Other _____

First year received:	<u>2008</u>		
Last 3 years received:	<u>2021</u>	<u>2020</u>	<u>2019</u>
Funding level by year:	<u>\$0</u>	<u>\$0</u>	<u>\$68,891.09</u>

Is a local match required? Yes No

If yes, how much? Not applicable

From which account? Not applicable

Grant purpose: To support direct services to Connecticut communities with a population over 50,000

Results achieved: Provide services based on the Center for Disease Control's (CDC's) 10 essential health services

Duration of grant: One year

Status of application: Under development

Meeting attendee: Laurence Burnsed, Health Director

Comments: The Town has not received this grant for the past two years due to its population dropping below the 50,000 resident threshold. The most recent data from the Census Bureau put East Hartford's population over that level, (50,731), so the Town is once again eligible for this funding.

I, Jason Marshall, the duly appointed Clerk of the Town Council of the Town of East Hartford, a corporation organized and existing under the laws of the State of Connecticut, hereby certify that the following is a true copy of a resolution adopted at a meeting of the East Hartford Town Council of said corporation, duly held on the 21st day of June, 2022

R E S O L U T I O N

WHEREAS; the Connecticut Department of Public Health has allocated funds to the Town under the Per Capita Grant Program; and

WHEREAS; these funds can be used to provide essential health services to the residents of the Town of East Hartford,

NOW THEREFORE LET IT BE RESOLVED; that Michael P. Walsh, 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 Department of Public Health as they pertain to this Per Capita grant.

AND I DO CERTIFY that the above resolution has not been in any way altered, amended, or repealed, and is now in full force and effect.

IN WITNESS WHEREOF, I do hereunto set my hand and affix the corporate seal of said Town of East Hartford the ___ day of June, 2022.

Seal

Signed: _____
Jason Marshall, Town Council Clerk



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: June 15, 2022
TO: Richard F. Kehoe, Chair 
FROM: Mayor Michael P. Walsh
RE: RESOLUTION: License Renewal and Amendment with Growing Roots Community Garden for Kilty Farm

Enclosed is a resolution authorizing the Town to extend the term of the license allowing Growing Roots Community Garden to develop and operate a community garden at the former Kilty Farm, as well as to allow children aged 12 and up to access the garden.

Please place this item on the Town Council agenda for the June 21, 2022 meeting.

C: E. Buckheit, Development Director.

GRANTS ADMINISTRATION
MEMORANDUM

TO: Mayor Michael P. Walsh

FROM: Paul O'Sullivan, Grants Manager

SUBJECT: Council Resolution – License Renewal and Amendment with Growing Roots Community Garden LLC for Kilty Farm

DATE: June 15, 2022

Attached is a draft Town Council resolution authorizing the Town to extend the term of the license allowing Growing Roots Community Garden (GRCG) to develop and operate a community garden at the former Kilty Farm, as well as to allow children aged 12 and up to access the garden.

In April, 2020, the Town administration entered into a one-year licensing agreement with GRCG to develop and operate a community garden at the former Kilty Farm off Goodwin Street. Since then, GRCG has successfully operated the garden, distributing the food grown there to locally-based nonprofits and the Senior Center.

GRCG has asked that this license be extended to April 1, 2024 and that the license be amended to allow students from the Connecticut River Academy at Goodwin University aged 13 and 14 to visit the site. The original license set the minimum age limit for visitation at 15 years of age.

Upon consultation with Corporation Counsel's Office, it has been determined that Town Council authorization is required to extend the term of the lease and to amend the language concerning the age of visitors. Copies of the original licensing agreement and the draft renewal are attached.

I respectfully request that this item be placed on the Town Council agenda for their meeting to be held on June 21, 2022. Please contact me at extension 7206 if you have any questions.

Attachments: as stated

Cc: Eileen Buckheit, Development Director

AGREEMENT BETWEEN
THE TOWN OF EAST HARTFORD, CONNECTICUT AND
Growing Roots Community Garden, LLC

Agreement, made as of the _____ day of June 2022, by and between the Town of East Hartford, Connecticut, a Connecticut Municipal Corporation with a principal place of business at 740 Main Street, East Hartford, Connecticut (the "Town") and Growing Roots Community Garden, LLC, a Connecticut Limited Liability Company with a principal place of business in East Hartford, Connecticut ("Community").

Whereas, the Town and Community are parties to a certain license agreement dated on or about April 1, 2020 (the "Agreement"); and

Whereas, by its terms the Agreement was intended to terminate in 2021; and

Whereas, notwithstanding the term of the Agreement, the parties hereto have continued to operate as if the Agreement had not terminated; and

Whereas, The Town and Community wish to amend the Agreement in to provide for its extension and in other particulars;

Now Therefore, in consideration of the covenants contained herein, the parties hereby agree as follows:

1. ARTICLE 1.3 of the Agreement is hereby amended to provide a termination date of April 1, 2024.
2. Exhibit B, Section C. Conduct, of the Agreement is hereby amended by replacing the language that reads "Children: No one under age 15 is allowed in the Garden" with the following:

"Children: No one under age 12 is allowed in the Garden. Children between the ages of 13-15 shall be allowed in the Garden provided they are supervised at all times by an adult, and their volunteer work in the Garden is allowed by law."
3. Except as set forth herein, the remainder of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused their names to be signed as of the date set forth above.

Town of East Hartford

Growing Roots Community Garden, LLC

Michael P. Walsh, its Mayor

By:

Its:

Date: _____

Date: _____

I, Jason Marshall, the duly appointed Clerk of the Town Council of the Town of East Hartford, a corporation organized and existing under the laws of the State of Connecticut, hereby certify that the following is a true copy of a resolution adopted at a meeting of the East Hartford Town Council of said corporation, duly held on the 21st day of June, 2022

RESOLUTION

WHEREAS; the Growing Roots Community Garden LLC has operated a community garden at the former Kilty farm since April, 2020 under a license from the Town and;

WHEREAS; the community garden has provided fresh food for several nonprofits based in the area, and;

WHEREAS; Growing Roots Community Garden LLC that requested an extension of the license and an amendment allowing children 12 and over to visit the site.

NOW THEREFORE LET IT BE RESOLVED; that Michael P. Walsh, Mayor of the Town of East Hartford, is authorized to execute and approve on behalf of this corporation, an amendment to this license that extends the term to April 1, 2024 and permits children 12 and over to visit the site with adult supervision.

AND I DO CERTIFY that the above resolution has not been in any way altered, amended, or repealed, and is now in full force and effect.

IN WITNESS WHEREOF, I do hereunto set my hand and affix the corporate seal of said Town of East Hartford the ___ day of June, 2022.

Seal

Signed: _____
Jason Marshall, Town Council Clerk

EXHIBIT B

Community Garden Rules

This document sets out the rules that govern the Community Garden (the "Garden"). The Rules are intended to help Licensee grow fresh, healthy foods in a thriving garden, to help create a sense of community and to help the Garden be a good neighbor.

Growing Roots Community Garden LLC (the "Sponsor") is a Connecticut corporation that has a limited license to utilize the land for the Garden, and runs the Garden. Sponsor agrees to operate the garden in accordance with the following rules:

A. Access to the Garden

Seasons: The Garden is open and accessible from March 1 to November 1 of each year.

Hours: Gardening may take place no earlier than dawn, nor later than dusk. Machinery may not be utilized earlier than 8:00 a.m. (weekdays) and 9:00 a.m., (weekends).

Security: Any non-urgent emergency or safety issues should be reported to the Town of East Hartford. Urgent emergency or safety issues should be immediately reported via 911. In all instances, Sponsor is responsible for determining whether 911 should be called.

B. The Garden

Plantings: vegetables, fruits, and flowers may be planted. Plants may not be taller than 72". Sponsor may not grow any plants considered illegal under state or federal law, including but not limited to cannabis, hemp, or invasive species or plants.

Organic Methods: Gardening will be done organically and may not involve the use of fertilizers, pesticides, herbicides or rodenticides, even if labeled organic, without the approval of the Town of East Hartford.

Water: Sponsor is responsible for obtaining water, at its own cost, for the Garden.

Maintenance and Trash: The Garden will be maintained in a clean and neat fashion, with weeds, overgrowth, or other waste removed promptly. Edible plants will be harvested promptly to avoid rot and spoilage. Sponsor is responsible for hauling and disposing of its own trash, such as weeds, boxes, trays, bags, packets and other similar items.

Compost: Organic waste such as weeds; dead plants or rotten produce should be placed in the appropriate compost pile. Diseased plants and un-chopped thick stems should be discarded.



C. Conduct

General Conduct: All gardeners are expected to be civil, honest, and cooperative in dealing with the Landowner, and residents of the neighborhood.

Children: No one under age 15 is allowed in the Garden.

Compliance: Sponsor must insure that anyone in the Garden:

- complies with all applicable local, state, and federal laws.
- Not smoke in the Garden.
- Not consume or use alcohol or illegal drugs while on the Garden premises. Gardeners may not come into the Garden while under the influence of alcohol or illegal drugs.
- Not engage in sexual relations in the Garden.
- Not start or maintain a campfire, burn weeds, use a barbecue, or cook while in the Garden.
- Not play music or the radio loud enough to be a nuisance to residents of the neighborhood.

A handwritten signature or set of initials, possibly "GND", enclosed within a hand-drawn oval shape.

**Community Garden License Between
The Town of East Hartford and
Growing Roots Community Garden LLC**

This a community garden License, dated _April 1, 2020, between the Town of East Hartford, Connecticut, ("Licensor ") and Growing Roots Community Garden LLC, a Connecticut limited liability company ("Licensee).

Background

Licensee's business goal is to start a community garden and share the produce with other town organizations and residents as allowable. In line with this goal, Licensee wishes to develop and operate a garden for the use set forth in 1.2 below. The Licensor is willing to license land to the Licensee for that purpose on the terms described in this License.

Licensor and Licensee Agree as Follows:

1. Parcel, Term and Rent

1.1 License. Licensor grants to the Licensee a license to utilize the .63 Acre parcel located off of Goodwin Street, East Hartford (the "Parcel"), together with the non-exclusive right to utilize a .37 Acre parking area off Goodwin Street (the "Parking Area"). See Exhibit A. Access to the Parcel will be via the Parking Area. Licensee will be responsible for all costs associated with creating a parking lot on the Parking Area, consisting of gravel, the design and construction of which will be to Landlord's approval.

1.2 Use. Licensee will use the Parcel for the sole purpose of operating a community garden (the "Garden") with food grown to be distributed, at no cost, to or through one or more locally based 501 (c) (3) organizations.

1.3 Term. The term of this License is one year, starting on April 1, 2020 and ending on April 1, 2021. This License will terminate upon the expiration of this term or if either party terminates it as described in Section 4. This license may be renewed for further terms upon agreement of the parties.

1.4 Licensee is the sole party authorized hereunder to farm the community garden. Licensee will not sub-License, or grant rights to farm, any portions of the community garden without the written consent of landowner.

1.5 License Payment. The license payment for this property will be \$1.00 per annum, payable in advance on the execution of this License.

2. Operation and Maintenance of Parcel

2.1 Parcel "As Is." Licensee acknowledges that Licensor is not making any representations, warranties, promises, or guarantees of any kind to Licensee, including, without limitation, any representations about the quality, condition, or suitability of the Parcel for use as a community garden. In deciding to enter this License, Licensee will make its own independent evaluation of the suitability of the Parcel for a community garden, including but not limited to, the

environmental condition of the property and its suitability for gardening. Licensor makes no representation or warranty with respect to the condition of the Parcel or its suitability for gardening.

2.2. No Licensor Responsibilities. Licensee has sole responsibility for the planning, setup, management, and carrying out operations on the Parcel, including, without limitation, obtaining any permits required for operation a community garden, providing a water source, electrical source, or fencing. Licensor has no obligation to make any alterations, improvements or repairs of any kind on the Parcel, or to provide or pay for any services or other support of any kind. Licensee will be responsible for all costs associated with obtaining a waters source for the Garden.

2.3 Comply with Laws. Licensee will use and operate the Parcel in compliance with all applicable zoning, environmental and other laws and regulations. Landlord will assist the Licensee to apply for any local zoning permits that may be required.

2.4 Compliance with Land Deed Restriction. Licensee will only use the Parcel in connection with its gardening activities. Licensee understands that certain State of Connecticut Open Space/Recreational space provisions and restrictions apply to the property.

2.5 Garden Rules. Licensee will operate the community garden in accordance with the garden rules in the form attached as Exhibit B. Licensee understands and agrees that a breach of the garden rules Licensee is an event of default hereunder.

2.6 No Alteration. Licensee may not make or permit any alterations or improvements to the Parcel without Landowner's written consent, except for raised beds, benches, picnic tables, rain barrel systems, composting bins, and other features common to gardens.

2.7 Equipment and Structures. Licensee will install a small shed to store gardening tools on the parcel, as well as raised beds, benches, picnic tables, rain barrel systems, composting bins and other features common to gardens. On the expiration of the License, all improvements and alterations to the Parcel will be immediately removed by Licensee.

2.8 No Transfers. Licensee may not assign, mortgage, pledge, encumber or otherwise transfer this License, or sublet or allow the Parcel or any part of the Parcel to be used or occupied by others. Any attempted transfer in contravention of this section 2.8 is void and is a default under the License.

2.9 Right of Inspection. Licensor may enter the Parcel at all reasonable times to inspect the Parcel and evaluate whether the Licensee is in compliance with the terms of this License, and for the purposes of taking any other actions Licensor believes are appropriate to protect Landowner's interest in the Parcel. This Section 2.09 does not impose any duty on the Licensor to inspect the Parcel, report to the Licensee the results of any inspection or assume any liability of any kind arising from inspecting or not inspecting the Parcel.

2.10 Liens. Licensee will not incur, create, assume or permit the creation of, any lien on any portion of the Parcel (including any mechanic's or materialmen's liens). Licensee will keep the Parcel clear of any and all liens arising out of any work performed or materials furnished to Licensee for or at the Parcel, and any other obligations the Licensee incurs.

2.11 Commercial Enterprise Prohibited. Licensee will not undertake or allow the undertaking of any commercial enterprise associated with the community garden, including but not limited to the sale of produce, on the Parcel without the expressed written consent of the Landowner.

2.12 Restriction of Pesticides on property. The Licensee shall abide by the Towns restrictions pertaining to the usage of pesticides on the Parcel. The Town shall provide the Licensee with a list of banned pesticides.

2.13 Plantings. The types of plantings and crops allowed on the Parcel will be subject to Licensor approval. In no event will invasive species, as determined by the state of Connecticut and Landowner, be allowed.

3. Expenses

3.1 Utilities. Licensee will have sole responsibility for obtaining and paying for all water, electricity, heat, sewage, storm sewer, or any other utility service used on the Parcel during this License term except where noted as a written addendum to this License. In addition, Licensee will be responsible for providing proper waste and recycling receptacles, with secure lids, and will empty such receptacles out as often as necessary (but in no event less than twice weekly).

3.2 Taxes. Licensor will have sole responsibility for all property tax returns and payments relating to the Parcel required by any federal, state, or local tax authority. Licensee will have sole responsibility for all tax returns and payments required by any federal, state, or local tax authority in connection with the Licensee's operations at the Parcel. Licensee will have sole responsibility for paying all personal property taxes or assessments levied on the Licensee's personal property on the Parcel and all income or sales taxes that result from Licensee's operations on the Parcel. The Landowners agree to cooperate with Licensee to receive any tax abatements, exceptions, or other exclusions for which Licensee may qualify.

4. Termination

4.1 At Will. This License may be terminated at any time by either Licensor or Licensee. Such a termination will be effective three months after delivery by the terminating party to the other party of a written notice of termination under this Section 4.1

4.2 Breach by Licensee. If the Licensee breaches any of its duties or obligations under this License, including but not limited to actions by Licensee or other parties that constitute events of default as enumerated under this License, Licensor may provide Licensee with written notice of the breach. If the Licensee fails to cure the breach within 30 days after receipt of such notice, Licensor may terminate this License by providing written notice, with the termination date

effective 15 days after delivery of such notice to Licensee. Licensor will, in its sole discretion, determine whether the breach has been cured.

4.3 Yielding Possession. Upon termination of this License, Licensee will leave and surrender the Parcel to Licensor in at least as good order and condition as on the date that this License is signed, including removal of personal property, clean-up of environmental conditions that result from Licensee or its gardener's use of the Parcel, and the plowing under of all unharvested crops.

4.4 Cooperation in Transition. Upon termination of this License, the rights of the Licensee under this License will immediately, automatically, and without consideration terminate and revert to the Landowner. Licensee and Licensor will cooperate in good faith in reasonable transition activities with Licensor prior to and after termination of this License in order to minimize impact on the community and Landowner's use of the Parcel.

4.5 Personal Property. It is the responsibility of the Licensee to remove personal property on the Parcel after the termination of this License.

4.6 Holding Over. If Licensor terminates this License, any holding over by the Licensee after termination of this License without the Landowner's written consent is not a renewal or extension of the License and will not give Licensee rights in or to the Parcel.

4.7 Cumulative Remedies. All of the Landowner's rights, powers and remedies under this License are cumulative and not alternative and will be in addition to all rights, powers, and remedies given to the Licensor at law or in equity. The exercise of any one or more of these rights or remedies will not impair Landowner's right to exercise any other rights or remedies including any all rights and remedies of a landlord under or any similar, successor, or related laws.

5. Indemnity and Waiver of Liability

5.1 Indemnification. Licensee will defend, indemnify and hold Licensor and Landowner's directors, officers, employees, agents, and assigns (Landowners and such persons are referred to collectively as "Licensor Parties"), harmless against all claims, environmental harm, contamination, liabilities, losses, damages, expenses, and attorney's fees (together, "Losses"), including but not limited to, Losses arising from any death, property damage, or injury of any nature whatsoever that may be suffered or sustained by any persons, Licensee or any of Licensee's gardeners, employees, contractors, volunteers, family members, guests, or any other person in a relationship with Licensee or Licensee or otherwise participating in or present (legally or illegally, including but not limited to invitees and trespassers) on the Parcel (Licensee and such persons are referred collectively as "Licensee Parties"), which may arise directly or indirectly from (a) Licensee Parties' use or operation of or presence on the Parcel, or (b) any breach by Licensee of this License, including, without limitation, Licensee's failure to enforce

garden rules or regulations, except to the extent the Loss is caused by the willful misconduct of the Licensor or its Parties. This Section 5.1 will survive any termination of this License.

5.2 Waiver of Liability. Licensee releases and waives all claims against the Licensor with respect to or arising out of (a) any death or injury of any nature whatsoever that may be suffered or sustained by the Licensee or the Licensee's Parties from any causes whatsoever, except to the extent that such injury or death is caused by the willful misconduct of the Landowner; (b) any loss or damage or injury to any property on or about the Parcel belonging to the Licensee or Licensee Parties, except to the extent such injury or damage is Licensee is caused by the willful misconduct of the Licensor; or (c) the condition of the Parcel and suitability of the Parcel for use as a garden.

Licensor shall not be liable for any damage or damages of any nature whatsoever to Licensee or the Licensee Parties caused by explosion, fire, theft, crime or negligent behavior; by sprinkler, drainage, plumbing or irrigation systems; by failure for any cause to supply adequate drainage, by the interruption of any public utility or service, by steam, gas, water, rain or other substances leaking, issuing or flowing into any part of the Parcel, by natural occurrence, riot, court order, requisition, or order of governing body or authority or for any damage or inconvenience which may arise through repair, maintenance, or alteration of any part of the Parcel, or by anything done or omitted to be done by the Licensee Parties on the Parcel. In addition, the Licensor shall not be liable for any Losses for which Licensee is required to insure. This Section 5.2 will survive any termination of the License.

6. Insurance

6.1 Insurance. Licensee will, at its own cost, take out and maintain without interruption during the term of this License the insurance coverages set forth on Exhibit C. hereto.

6.2 Evidence of Insurance. On or before Licensor delivers possession of the Parcel to the Licensee, Licensee will provide Licensor with a copy of insurance policies required by Section 6.1. Licensee will deliver to the Licensor evidence of each renewal upon demand. Licensee may deliver to the Licensor certificate of insurance evidencing Licensee's insurance policies, provided that Licensor also receives a copy of the endorsement naming Licensor as an additional insured.

7. General Provisions

7.1 Entire Agreement. This License is the entire agreement between the Licensor and the Licensee and supersedes all prior or contemporaneous written and oral agreements, negotiations, correspondence, course of dealing and communication between the Licensor and Licensee relating to the same subject matter.

7.2 Modification and Severability. This License may be modified only as stated in a writing signed by both parties' authorized representatives which states that it is an amendment to this License. If any provision of this License is held invalid or unenforceable, the other provisions will

remain enforceable, and the invalid or unenforceable provision will be considered modified so that it is valid and enforceable to the maximum extent permitted by law.

7.3 Waiver. Any waiver of any term of the License must be in writing. Failure, neglect, or delay by a party at any time to enforce the provisions of this License will not be considered a waiver of that party's rights under this License. Any waiver shall not be considered a waiver of any later breach or of the right to enforce any provision of the License.

7.4 Counterparts. This License may be executed in one or more counterparts, each of which shall be deemed an original and all of which will be taken together as one instrument. Transmission by fax or PDF of executed counterparts constitutes effective delivery.

7.5 Third-Party Beneficiaries. Except as specifically provided in Section 5 of this License, this License is for the exclusive benefit of the Licensor and the Licensee, and not for the benefit of any third party including, without limitation, any gardener, employee, or volunteer or the Licensee. All Licensor Parties are an expressed third party beneficiary of Section 5, except when the Licensor or its Parties claims are due to their gross negligence or willful misconduct.

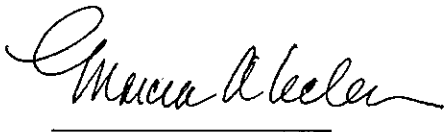
7.6 Notices. Notices and consent under this License must be in writing and delivered by mail, courier, or fax to the addresses set out on the signature page of this License. These addresses may be changed by written notice to the other party. Notice given in the manner provided by Section 7.6 will be considered given two business days after deposit by mail, or the first business day after delivery by courier or delivered by fax.

7.7 Governing Law, Jurisdiction and Venue. This License is governed by the State of Connecticut law. Licensee consents to the exclusive jurisdiction and venue of state and federal courts of Hartford County, Connecticut.

This License is signed by the authorized representative of the Licensor and Licensee as of the date first written above.

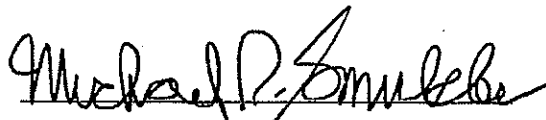
Town of East Hartford

Growing Roots Community Garden, LLC



By: Marcia A. Leclerc

Title: Mayor



By: Michael D. Smulders

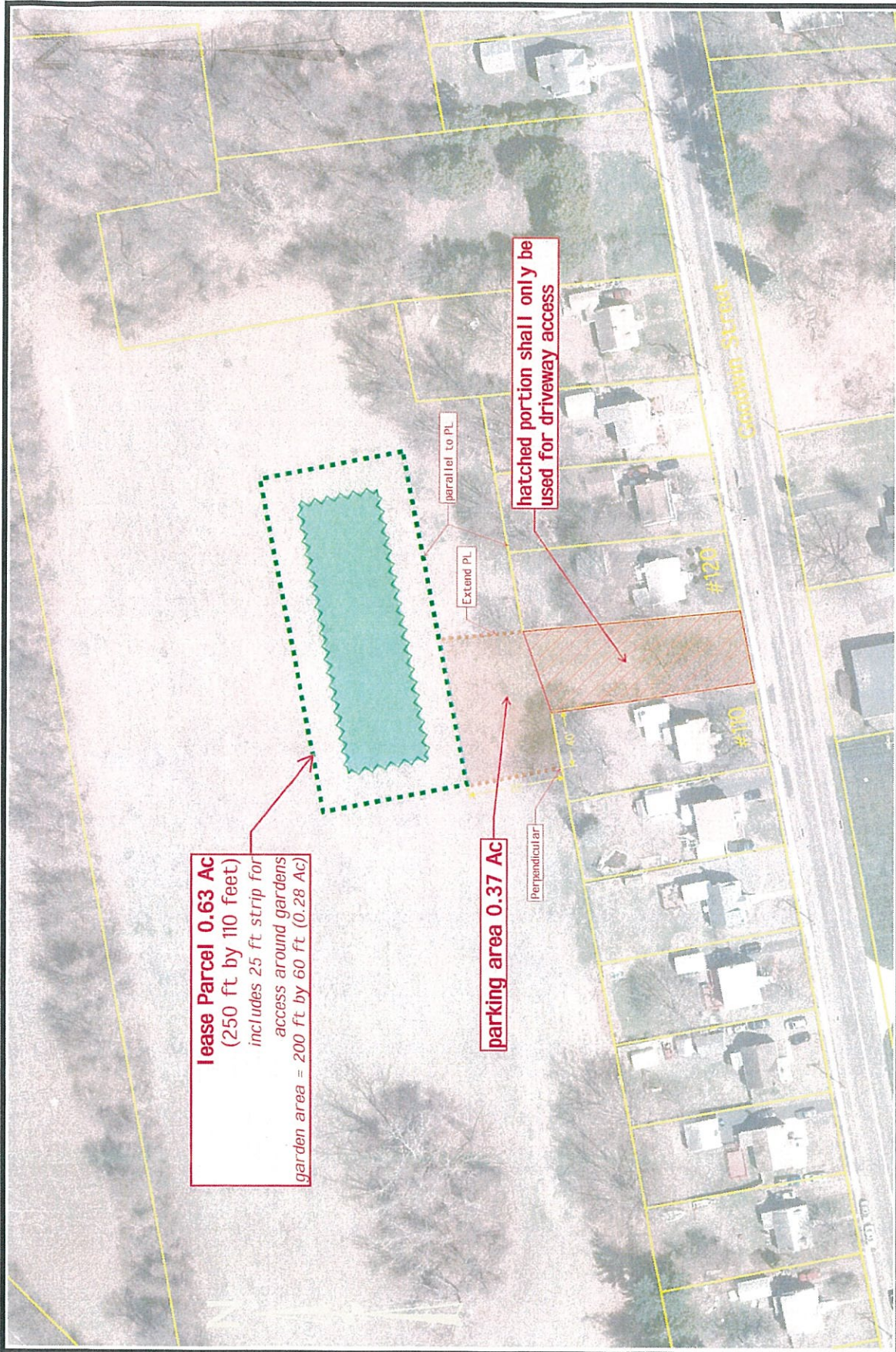
Title: Member

Exhibits

Exhibit A: Parcel Map

Exhibit B: Garden Rules

Exhibit C: Certificate of Insurance



lease Parcel 0.63 Ac
 (250 ft by 110 feet)
 includes 25 ft strip for
 access around gardens
 garden area = 200 ft by 60 ft (0.28 Ac)

parking area 0.37 Ac

**hatched portion shall only be
 used for driveway access**



EXHIBIT A: PARCEL MAP
 for
GROWING ROOTS / BAKERY ON MAIN

LOCATION:
 Kitty Farm, 105 Ellington Road
 EAST HARTFORD, CONNECTICUT

DATE: 19 March 2020

SCALE: 1" = 100'

SHEET: 1 of 1

EAST HARTFORD



CHARTER REVISION
COMMISSION

REPORT AND
RECOMMENDATIONS
6/13/22

East Hartford Charter Revision Commission
740 Main St. East Hartford, CT 06108

To:
From: East Hartford Charter Revision Commission
Date: June 13, 2022
Subject: Commission Report

The East Hartford Charter Revision Commission was appointed by the Town Council at the June 15, 2021 regular council meeting and held its organizational meeting July 27, 2021. The Commission consists of 9 members, 5 members affiliated with the majority party (Democratic), and 4 members affiliated with the minority party (Republican).

Although membership was divided by political party as required by statute, it should be noted that the commission as a whole engaged in a bipartisan discussion of the issues before it. The membership is as follows:

Donald J. Bell, Jr., Chair
1323 Burnside Avenue

Angel Santiago, Secretary
700 Forbes Street

Marcia Leclerc
673 Burnham Street

Tom Rup
24 Sunset Ridge Drive

Travis Simpson
119 Naubuc Avenue

Richard Bates

Deborah Arrieta
6 Sunset Ridge Drive

Shelby Brown
2 Sunset Ridge Drive

Eric Thompson
9 Warren Drive

The Council Resolution (see Attachment B) charged the Commission with considering three specific items:

1. Whether the Town Should Have a Professional Person in Charge of Overseeing All Town Government Operations.
2. Whether the Town Charter Should Continue to List All Town Departments or Provide Some Flexibility to Consolidate or Transfer Functions of Town Departments Without a Charter Revision.
3. Whether the Town Directors Should Serve at the Pleasure of The Mayor or Have Some Job Security Protections.

The resolution also charged the Commission with reviewing the East Hartford Town Charter and making recommendations for any amendments to such Charter.

Originally, the Council required the Commission to make its recommendations in accordance with state law by January 30, 2022. An extension to April 30, 2022 was provided January 18, 2022. The aim is to place the recommendations on the ballot at the time of the November 2022 election.

At the first meeting of the Charter Revision Commission, commissioners and members of the public were provided with the first opportunity to suggest topics for Commission review. In subsequent meetings, the Commission expanded to include each of the following items for discussion at one point during the process:

- Whether the Town Should Have a Professional Person in Charge of Overseeing All Town Government Operations;
- Whether the Town Charter Should Continue to List All Town Departments or Provide Some Flexibility to Consolidate or Transfer Functions of Town Departments Without a Charter Revision;
- Whether the Town Directors Should Serve at the Pleasure of The Mayor or Have Some Job Security Protections;
- Removal of Budget by Referendum;
- Term of Office for all Elected Positions;
- Term of Office for Mayor and/or Town Council– 2 or 4 Years;
- Simplifying Town Elections by Realigning Terms of Office or Removing Selectmen and Constables;
- Staggering Terms for The Town Council;
- Personnel Appeals Board: Clarify Powers;
- Review of Compensation for Stipend Positions;
- Countersigning of Checks;
- Adding the Information Technology Department to the Charter;
- Clarifying Line of Succession in the Event of Mayoral Vacancy;
- Advisory Opinions From the Office of Corporation Counsel;
- Updating Charter Language to Include Gender Neutral Language; and
- Bond Referendum Threshold

In the early meetings in August and September, the Commission agreed to focus its attention on the first question, which involved whether having a “professional person” in charge of overseeing all town government operations required a change in the form of government. The Commission agreed that many of the other initial items on the list to be reviewed would be more easily settled once this first question was addressed.

As a result, the Commission sought background information on various forms of government, including research and Connecticut municipal charters from the Connecticut Conference of Municipalities and the National League of Cities. In addition, in September and October the Commission held two workshop sessions that explored this question in further detail. One session included researchers that studied form of government. The other session included speakers that executed the day-to-day functions of a strong mayor, town manager, and chief administrative officer. In addition, the Commission was supported by the Council clerk and the Office of Corporation Counsel (Corporation Counsel).

The information collected and public comments throughout the process were made available on the East Hartford town website, where the public could review the information and minutes, and submit a comment to the commission clerk. All meetings were public as required by law, and most of the 19 workshops and 10 public hearings conducted were broadcast live on television and posted online by East Hartford Public Television.

The Commission engaged in a thoughtful and bipartisan process to carefully consider each of the items above. Public feedback during public hearings and workshops led to discussions that determined whether to table an item under consideration or draft a recommendation. For more information on the meeting process and workshop and public hearing dates, please refer to the meeting minutes.

Discussion Items

Whether the Town Should Have a Professional Person in Charge of Overseeing All Town Government Operations

The bulk of the Commission’s time during Fall 2021 was placed in determining the answer to this question. A key consideration was an examination of what does not work well currently. As mentioned above, the Commission utilized research from the Connecticut Conference of Municipalities, National League of Cities, scholars, and practitioners to best understand what it would mean to make changes to the form of government. The Commission addressed this question in three stages—research, debate, and decision making.

Through this process, the Commission examined the values of the community, and what would be most efficient for the functions of town government given the current structure of government, size of East Hartford, and complexity of the needs of the community. The Commission sought best practices and presented itself and the community with three options to debate and decide on.

The first option was to keep the strong mayor form of government unchanged. The second option was to move to a town manager form of government. The third option was to maintain a strong mayor form of government but provide for an individual to assist the Mayor in overseeing daily operations.

The option to keep the form of government unchanged was supported by some in the community due to the potential cost of shifting to another method. This option was rejected by the Commission due in large part to the testimony of scholars and practitioners during the fall workshops. In reviewing the options, the Commission explored whether East Hartford municipal government could function better with additional executive assistance. It was determined that an additional layer of support would be beneficial, provided the position focused on operational management rooted in professional skills, experience, and background.

The option to move to a town manager form of government fostered robust debate and examination. This was the most closely contested item during the charter revision process. The benefit of moving to a town manager, as members of the Commission saw, was that a town manager could remove many political connections and allow for the chief executive officer for East Hartford to be a credentialed professional and provide continuity between administrations. There was agreement that the complexity of East Hartford, and increasing trend toward more complex and diverse challenges in municipal government, required a trained and knowledgeable individual coordinating day-to-day operations. However, the prevailing consensus, on a 5-4 vote, was that there was enormous value in having the residents of East Hartford elect the chief executive officer, and that the creation of a town manager would leave a mayor too weakened to effectively provide oversight of daily functions.

As a result, the option to move toward a town manager was turned down after much consideration in favor of a middle ground, option three. The Commission agreed that one of the most important values expressed by members of the community was to have a chief executive (strong mayor) that was directly accountable to the 51,000 residents of East Hartford. In providing for a qualified individual to effectively assist the Mayor as a chief administrative officer that coordinates with departments and serves as a thought partner to the Mayor, an added layer of support would allow for the Mayor to establish an executable vision in each department and ensure that complex tasks have an adequate level of experience and staffing.

The Commission unanimously agreed that the chief administrative officer should not be a political position, and that the position should be rooted in education, qualifications, and professional experience. The Commission also explored what the potential cost of the position would be, and if the town could afford an additional position. Extensive conversation toward the end of the charter revision process was focused on the exact language of the recommendation, and whether the position should be required—akin to the creation of a director—or optional, leaving it to the mayor's discretion to hire a CAO or not. This was a closely contested question, resolved by further research via the Connecticut Conference of Municipalities, which provided responses to a survey of similarly situated municipalities that had a position which mirrored what the Commission envisioned. In a close vote, the Commission decided 5-4 to create a Chief Administrative Officer using “shall” instead of “may”.

In the preliminary vote to draft a recommendation that would keep the strong mayor form of government with the establishment of a “Chief Administrative Officer” the Commission voted in the affirmative, 9/0. (December 7, 2021). In the final vote, the Commission voted in the affirmative, 5/4 (April 21, 2022).

Whether the Town Charter Should Continue to List All Town Departments or Provide Some Flexibility to Consolidate or Transfer Functions of Town Departments Without a Charter Revision

Once the question on the form of government was answered, a number of other items were fairly quickly decided upon because they were previously addressed by prior speakers and/or research. There was unanimous agreement by both the Commission and members of the public at public hearings that the Mayor and Council should have the ability to consolidate or transfer functions of town departments to ensure efficiency and be responsive to the changing needs of the community. The important question here was if it was necessary to create a less complex process to achieve a realignment or merger of departments if the Mayor and Council agreed that in the interest of more efficient governance, change was necessary.

In the preliminary vote to draft a recommendation that would provide flexibility to the Mayor and Council to consolidate or transfer functions of town departments without the need for a charter revision, the Commission voted in the affirmative, 9/0. In the final vote, the Commission voted in the affirmative, 9/0. (April 21, 2022).

Whether the Town Directors Should Serve at the Pleasure of The Mayor or Have Some Job Security Protections

A fair amount of time was given to this question during fall 2021. Currently, town directors serve at the pleasure of the mayor. There was concern over lack of job security for directors, and the Commission discussed the implication on recruiting and retaining highly talented employees. There was unanimous agreement that there should be protections for directors to promote continuity and remove the potential for political decision making negatively impacting town government functions. There were questions over what specific protections were needed, and whether contracts for employment could achieve more security, but the Commission was moving toward consensus. The November 2021 election, however, brought a change in administration, and the Town Council during the fall concluded a town director compensation study which it used to ratify a town director compensation schedule which included severance protections for directors.

This resolution (Attachment C) requires annual review by the Council during the budget, and upon approval of the Fiscal Year 2022 budget, the Council effectively codified the review and approval of these protections annually. As a result, the Commission agreed that the question had been addressed by the Council.

The Commission voted to table discussion of this item on March 7, 2022, 9/0.

Removal of Budget by Referendum

After public comment and brief discussion, the Commission agreed that removal of budget by referendum would unnecessarily undo the work of the 2004 Charter Revision Commission, and most importantly, remove a layer of process for residents that seek to ensure that the budget is reflective of the wishes of the community.

The Commission voted to table discussion of this item on December 7, 2021, 9/0.

Term of Office for Mayor and Council – 2 or 4 Years

Term of office for Mayor and Council was discussed in the context of simplifying town elections and staggering terms. This turned out to be one of the most closely contested items of the issues the Commission discussed. The Commission quickly agreed that the Council should continue to have a two-year term of office. The question then centered around whether the Mayor should continue at two years or be moved to four-year terms. The Commission debated whether the day-to-day operations of town government, as overseen by the Mayor, would be best served with a four-year term that insulates the Mayor from political campaigning on a biannual basis and allows for directors and the Mayor's office to have additional stability.

The Commission was evenly split on the subject. In a compromise, the Commission agreed to send the preliminary recommendation to amend the Charter to allow for a four-year term of office to Corporation Counsel for draft report language, with the option to reconsider pending further public hearings on the working draft of this report. The Commission held a public hearing specifically on this topic and posted a community survey to solicit resident feedback. In April discussions, the prevailing belief became that allowing a mayor to serve a four-year term, especially while the Council continues with a two-year term, could cause an untenable decline in voter participation and make the Mayor less accountable to the public.

In the preliminary vote to draft a recommendation that would establish a four-year term of office for mayor, the Commission voted in the affirmative, 7/1, on March 10, 2022. This enabled the Commission to engage Corporation Counsel on draft report language. In a final vote to recommend keeping term of office to two years for all offices, the Commission voted 7/2. (April 21, 2022).

Simplifying Town Elections by Realigning Terms of Office or Removing Selectmen and Constables

The Commission, in exploring how to potentially simplify town elections to spur additional engagement, briefly considered whether realigning terms of office and/or removing Selectmen and Constables would be effective. It was determined, with significant input from the public, that changes to the ballot in this regard was not in the interest of the community.

The Commission voted to table discussion of this item on March 3, 2022, 9/0.

Staggering Terms for The Town Council

The Commission discussed this topic and received some community input, and determined that staggering terms for the Council would not be effective in serving the interest of the community with a council of nine members.

The Commission voted to table discussion of this item on December 7, 2021, 9/0.

Personnel Appeals Board: Clarify Powers

The Commission spent substantial time examining this issue. In multiple meetings, the Commission discussed whether to recommend reforms to the Personnel Appeals Board or to eliminate it altogether, provided no collectively bargained rights were impacted. The Commission reviewed the Personnel Rules and Merit System and whether there were other avenues for town employees to seek adjudication for their grievances that would save time and money. Corporation Counsel also provided information to assist the Commission. The Commission held a public hearing specifically on this topic, and posted a community survey to solicit resident feedback.

In the preliminary vote to draft a recommendation that would eliminate Personnel Appeals Board, the Commission voted in the affirmative, 7/1 on March 10, 2022. In the final vote, the Commission voted to recommend elimination of the Personnel Appeals Board, 8/1. (April 21, 2022).

Review of Compensation for Stipend Positions

The Commission began to discuss this topic, and the three members of the Commission that are currently members of the Town Council recused themselves. Upon advice of Corporation Counsel, the Commission learned that it did not have the authority to recommend non-home rule ordinance changes.

The Commission voted to table discussion of this item on March 10, 2022, 8/0.

Treasurer Countersigning of Checks

Section 5.3 of the Charter requires the Town Treasurer to countersign all checks. Due to a resident request for the Commission to review whether this was still necessary given the work of the Finance Department, the Commission asked Corporation Counsel of the legal implications of changing this requirement. The advice was to forgo amending the section.

The Commission voted to table discussion of this item on April 21, 2022, 9/0.

Adding the Department of Information Technology to the Charter

Near the end of the process, as the Commission began reviewing actual charter language recommendations, it was brought to the attention of the commissioners that the Department of

Information Technology (IT) does not technically exist because it has not been amended into the Charter. The addition of IT reconciles the existence and need of the department with the listing of operational departments in the Charter.

In the vote to draft a recommendation that would add the Department of Information Technology to the Charter, the Commission voted in the affirmative, 9/0. (April 21, 2022).

Clarifying Line of Succession in the Event of Mayoral Vacancy

In the March 22, 2022 public hearing, the Commission received a recommendation from the Council Chair that it review and clarify the line of succession in the instance of a mayoral vacancy. The Commission, with input from Corporation Counsel, developed language that would clarify the line of succession by doing the following:

- 1) If there is a vacancy in the Office of Mayor, the Council Chair will assume the office. If the Council Chair is unable to assume the office, the Council Vice Chair will assume the office.
- 2) If the Council Vice Chair is unable to assume the office, the Town Council will elect a member of its body to assume the office for the remainder of the unexpired term of office.

The Commission, at its April 7, 2022 workshop, discussed whether this language was sufficient, and how far down the line the Charter needed to follow. At the April 21, 2022 meeting, the Commission agreed that the definition of “unable to assume” would be left to the discretion of the individual upon which the duty fell.

In the vote to draft a recommendation that would clarify the line of succession in the instance of a vacancy in the Office of the Mayor, the Commission voted in the affirmative, 7/1, with the Chair abstaining, at the April 21, 2022 meeting.

Advisory Opinions from the Office of Corporation Counsel

The Office of Corporation Counsel, as the Commission reviewed technical changes, that is, specific language to promote clarity in legal interpretation, offered that the Commission should consider whether to clarify that the Office of Corporation Counsel has the authority to provide an advisory legal opinion to an East Hartford board or commission. The Commission discussed the topic, asking whether this power was needed or needed to be clarified. The Commission declined to pursue the matter further.

The Commission voted to table discussion of this item on April 21, 2022, 9/0.

Updating Charter Language to Include Gender Neutral Language

The Commission identified instances with gendered language and agreed to fully replace those references with gender neutral language.

In the vote to draft a recommendation that would replace all gendered language with gender neutral language, the Commission voted in the affirmative, 9/0 at the April 21, 2022 meeting.

Ballot Question Threshold

The Commission, at its March 22, 2022 workshop, discussed whether it should examine changing the ballot question threshold requirement found in Section 8.5 of the Charter, which provides that a ballot question shall fail unless the total number of votes cast on a question is at least twenty percent of the electors eligible to vote at the preceding regular election. At the April 7, 2022 workshop, the Commission discussed the implications of removing the 20% threshold.

Discussion occurred regarding removing the threshold altogether as a method to ensure that the majority of voters casting a ballot on a question would be heard. Discussion also focused on whether the threshold was valuable especially when deciding on an issue as important as debt. It was also noted by assistant corporation counsel at the workshop that the ballot question threshold was unusual in Connecticut. The argument to remove the threshold altogether prevailed.

In the vote to draft a recommendation that would remove the ballot question threshold, the Commission voted in the affirmative, 9/0 on April 21, 2022.

On April 26, 2022 the Commission voted unanimously to approve a draft report which was then submitted to the Town Clerk. On May 17, 2022 pursuant to State Statute, the Town Council reviewed the draft report and made recommendations that were provided to the Commission for review (see attachment- May 16, 2022 Town Council Recommendations). On June 13, 2022 a joint meeting between the Town Council and the Commission occurred to confer on the Council's recommendations. In a special meeting of the Commission that occurred after the joint meeting, the Commission voted unanimously to adopt the recommendations of the Council and incorporate them into the final version of the report and recommendations.

The East Hartford Charter Revision Commission is grateful to the residents that attended and participated in our workshops and public hearings. The Commission also acknowledges and thanks the past and present elected officials and current town staff that provided assistance. The Commission is especially appreciative of the support provided by Council clerks Angela Attenello and Jason Marshall, as well as the advice and counsel of Rich Gentile of the Office of Corporation Counsel.

Attachments:

April 26, 2022 Charter Revision Commission Proposed Amendments
June 15, 2021 Town Council Organizing Resolution
December 14, 2021 Director Compensation Town Council Resolution
May 16, 2022 Town Council Recommendations to the East Hartford Charter Revision Commission
June 13, 2022 Redlined East Hartford Charter

Charter Revision Commission Proposed Amendments to the East Hartford Charter (4/26/2022)

Current Language	Proposed Change
<p>Chapter III. The Town Council, Sec. 3.2 Presiding Officer and Clerk (subsection b).</p> <p>(b) The Chairperson shall also be the Deputy Mayor and shall exercise the powers and duties of the Office of Mayor in the event of the absence, death, disability or resignation of the Mayor. The fact of disability of the Mayor shall be determined by an affirmative vote of eight of the members of the Council and shall continue for such time until a majority of the Council members determine that such disability no longer exists. If the Deputy Mayor shall assume the powers and duties of the Mayor until the next biennial election, the Deputy shall resign from the Council, and the Council shall fill the vacancy for the remainder of the Council's term. During all other periods when the Deputy Mayor exercises the powers and duties of Mayor, he or she shall retain his or her vote as a Councillor.</p>	<p>Eliminates awkward gender-neutral language in section 3.2 AND Authorizes the Town Council chairperson to decline to assume the powers and duties of mayor which is a full-time position and allows the Town Council upon such declination to choose one of its members to assume such powers and duties.</p> <p>(b) The Chairperson shall also be the Deputy Mayor and shall exercise the powers and duties of the Office of Mayor in the event of the absence, death, disability or resignation of the Mayor <u>provided if the Chairperson is unable to assume the Office of Mayor, the Vice Chairperson shall assume the Office of Mayor. If the Vice Chairperson is unable to assume the office, the Town Council shall elect one of its members to assume the Office of Mayor.</u> The fact of disability of the Mayor shall be determined by an affirmative vote of eight of the members of the Council and shall continue for such time until a majority of the Council members determine that such disability no longer exists. If <u>a Council member</u> assumes the powers and duties of the Mayor until the next biennial election, the <u>Council member</u> shall resign from the Council, and the Council shall fill the vacancy for the remainder of the Council's term. During all other periods when the Deputy Mayor exercises the powers and duties of Mayor, <u>the Deputy Mayor</u> shall retain <u>the right to</u> vote as a Councillor.</p>

<p>Chapter IV. The Mayor. Sec. 4.2 Duties.</p> <p>The Mayor shall be directly responsible for the administration of all departments, agencies, and offices in charge of persons or boards appointed by him or her and shall supervise and direct the same. The Mayor shall also be the Director of Emergency Management.</p>	<p>After the language to the left, the following addition to be made:</p> <p><u>The Mayor shall appoint and may remove a Chief Administrative Officer to assist the Mayor with the day-to-day administration of all departments, agencies and offices of the Town. The Chief Administrative Officer shall be appointed based upon generally accepted professional experience, education, and qualifications as established by ordinance. The Chief Operating Officer shall report solely to the Mayor, shall perform such duties and responsibilities as are assigned to them by the Mayor, and shall be responsible to the Mayor in the exercise of their powers and in the performance of their duties hereunder. The ability to assign responsibilities to a Chief Administrative Officer shall not abrogate the Mayor's responsibilities or rights under this Charter.</u></p>
<p>Chapter IV. The Mayor. Sec. 4.3 Appointments and Terms.</p> <p>(a) The Mayor shall appoint and may remove all department heads and other officers and employees of the town, except as otherwise specifically provided by this Charter and except employees in the offices of elected officers or boards. The terms of such appointees shall terminate on the same date as the term of the Mayor except such appointees may continue to serve until their successors are appointed and qualified, and except that the terms of board and commission members shall be those provided by statute or ordinance.</p> <p>(f) The Mayor may appoint citizen advisory or study committees to serve for the purposes and periods he or she determines.</p>	<p>Revised to include the following addition:</p> <p>(a) The Mayor <u>shall appoint and may remove the Chief Administrative Officer,</u> all department heads and other officers and employees of the town, except as otherwise specifically provided by this Charter and except employees in the offices of elected officers or boards. The terms of such appointees shall terminate on the same date as the term of the Mayor except such appointees may continue to serve until their successors are appointed and qualified, and except that the terms of board and commission members shall be those provided by statute or ordinance.</p> <p>(f) The Mayor may appoint citizen advisory or study committees to serve for the purposes and periods <u>the Mayor</u> determines.</p>

<p>Chapter V. Offices and Departments Sec. 5.4 Administrative Departments.</p> <p>There shall be the following administrative departments: a Department of Finance, a Human Resources Department, a Department of Development, a Treasury Department, a Police Department, a Fire Department, a Public Works Department, a Department of Parks and Recreation, a Department of Inspections and Permits, a Department of Health and Social Services, a Department of Youth Services, and a Department of Libraries. Such departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by law and by ordinance or by resolution of said Council.</p>	<p>Revised to include the following additions:</p> <p><u>(a) There shall be the following administrative departments: a Department of Finance, a Human Resources Department, a Department of Development, a Treasury Department, a Police Department, a Fire Department, a Public Works Department, a Department of Parks and Recreation, a Department of Inspections and Permits, a Department of Health and Social Services, a Department of Youth Services, a Department of Information Technology, and a Department of Libraries. Such departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by law and by ordinance or by resolution of said Council.</u></p> <p><u>(b) Subject to Connecticut General Statutes, the Mayor shall have the authority (i) to appoint one individual to serve as the Director of one or more administrative Departments; and (ii) realign responsibilities between, merge, or rename administrative departments. Such appointments shall be communicated to the Town Council. Any realignments, mergers, or renaming of departments shall be approved by the Town Council.</u></p>
<p>Sec. 5.5 Department of Finance (subsection b).</p> <p>(b) The department shall in addition have responsibility for developing applications of electronic data processing to town financial and operating information, for the planning and placement of insurance of the town's risks, and for the administration, including further planning, of the town retirement system.</p>	<p>Striking oversight of IT in lieu of new Titled Department</p> <p>(b) The department shall in addition have responsibility for the planning and placement for insurance for the town's risks, and for the administration, including further planning, of the town retirement system.</p>

<p>Sec. 5.17 Director of Libraries.</p> <p>(a) The Director of Libraries shall administer and coordinate the affairs of town libraries under the general supervision of the Mayor. Upon the vacancy of the Director of Libraries by the person serving in such position on July 1, 2004, and whenever thereafter there is a vacancy in such position, the Mayor shall appoint and may remove the Director. He or she shall be responsible for the development of library resources and library services to the town. He or she shall appoint and may remove, in accord with this Charter, assistants, librarians and other employees in the town libraries.</p> <p>(b) The Town Council may, by ordinance, create or abolish a Library Board. The Board shall have the powers as established by ordinance and as set forth herein.</p> <p>(c) The library board shall from time to time confer with the Director of Libraries with respect to: the use of the town's public library facilities; the Director of Libraries' annual proposed budget for library services; the selection and acquisition of materials; the development, implementation and alteration of programs; and capital planning. The Library Board shall confer with the Director of Libraries with respect to the acquisition and selection of library materials and composition of collections.</p> <p>(d) The Library Board and Director of Libraries shall collaborate on the proposed annual budget prior to submitting to the Mayor and shall have input to the evaluation of the facility, its services and the director position and shall prepare an annual report on the state of the libraries.</p>	<p>Language changes as follows:</p> <p>(a) The Director of Libraries shall administer and coordinate the affairs of town libraries under the general supervision of the Mayor. The Mayor shall appoint and may remove the Director. They shall be responsible for the development of library resources and library services to the town. They shall appoint and may remove, in accord with this Charter, assistants, librarians and other employees in the town libraries.</p> <p>(b) The Town Council may, by ordinance, create or abolish a <u>Commission on Culture and Fine Arts, which will act as a library board</u>. The <u>Commission</u> shall have the powers as established by ordinance and as set forth herein.</p> <p>(c) The <u>Commission</u> shall from time to time confer with the Director of Libraries with respect to: the use of the town's public library facilities; the Director of Libraries' annual proposed budget for library services; the selection and acquisition of materials; the development, implementation and alteration of programs; and capital planning. The <u>Commission</u> shall confer with the Director of Libraries with respect to the acquisition and selection of library materials and composition of collections.</p> <p>(d) The <u>Commission</u> and Director of Libraries shall collaborate on the proposed annual budget prior to submitting to the Mayor and shall have input to the evaluation of the facility, its services and the director position and shall prepare an annual report on the state of the libraries.</p>
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<p>Chapter V. Offices and Departments</p>	<p>INSERTION OF 5.23 Department of Information Technology. This will require original Sections 5.23 (Board of Zoning Appeals) through Section 5.26 (Political Activity) to be renamed as Sections 5.24 through 5.27</p>
<p>Chapter V. Offices and Departments</p>	<p>Sec. 5.23 Department of Information Technology</p> <p><u>(a) The Department of Information Technology shall be responsible for providing infrastructure, governance and functional support in all areas of information technology strategies and initiatives for the Town of East Hartford.</u></p> <p><u>(b) Director of Information Technology. The Mayor shall appoint and may remove the Director of Information Technology who shall be the town's Chief Information Officer. The Director of Information Technology shall administer the office and coordinate information technology under the supervision of the Mayor. The Director shall appoint and may remove, in accord with this Charter, assistants and employees of the Department.</u></p>
<p>Sec. 5.25 Salaries.</p> <p>Salaries of all directors and other officers and all employees in the classified service of the town shall be determined by the Council, in conformity, with a systematic pay plan for the position involved, upon recommendation of the Mayor, provided nothing herein shall be construed to limit the power of the Board of Education to fix the compensation of employees of the school system.</p>	<p>Clarifies that a pay plan or systematic pay plan includes all compensation for a director, officer, or person in classified service.</p> <p>(Also renamed 5.26 Compensation)</p> <p><u>Compensation</u> of all directors and other officers and all employees in the classified service of the town shall be determined by the Council, in conformity, with a systematic pay plan for the position involved, upon recommendation of the Mayor, provided nothing herein shall be construed to limit the power of the Board of Education to fix the compensation of employees of the school system. <u>As used in this section, compensation includes salaries, health and retirement benefits, vacation, other leave and other benefits provided to directors, officers and employees.</u></p>

<p>Chapter VII. Merit System Sec. 7.2 The Classified Service.</p> <p>The classified service shall include all appointees to all positions now or hereafter created except the following: Elective officers and persons appointed to fill vacancies in elective offices; members of the boards and commissions; officers appointed by the Council; employees of the Board of Education; the Director of Finance; the Director of Human Resources; the Director of Development; the Corporation Counsel and any part time assistant; the Town Clerk; the Director of Inspections and Permits; the Director of Public Works; the Director of Parks and Recreation; the Director of Youth Services; the Director of Libraries; the Director of Health and Social Services; and an assistant and a personal secretary to the Mayor; persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation; the Judge and any personnel of the Probate Court; and persons employed for a temporary period not exceeding three months.</p>	<p>Revised to include the following additions:</p> <p>The classified service shall include all appointees to all positions now or hereafter created except the following: Elective officers and persons appointed to fill vacancies in elective offices; members of the boards and commissions; officers appointed by the Council; employees of the Board of Education; <u>the Chief Administrative Officer;</u> <u>the Director of Information Technology;</u> the Director of Finance; the Director of Human Resources; the Director of Development; the Corporation Counsel and any part time assistant; the Town Clerk; the Director of Inspections and Permits; the Director of Public Works; the Director of Parks and Recreation; the Director of Youth Services; the Director of Libraries; the Director of Health and Social Services; and an assistant and a personal secretary to the Mayor; persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation; the Judge and any personnel of the Probate Court; and persons employed for a temporary period not exceeding three months.</p>
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<p>Chapter VII. Merit System Sec. 7.2 The Classified Service. ITEM C-D</p> <p>(c) A pay plan for all positions in the classified service shall be similarly prepared, adopted and amended.</p> <p>(d) No later than July 1, 1968 the Mayor shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the town. Such rules and any amendments thereto shall become effective upon being filed by the Mayor with the Town Clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.</p>	<p>Eliminates conflicting language in Section 7.2(d) regarding personnel rules that seemingly includes pay for positions that must be approved by the town council AND requires personnel rules to be filed with the Town Council Clerk.</p> <p>(c) <u>Compensation for all positions in the classified service shall be determined in accordance with the provisions of section 5.26 of the Town Charter</u></p> <p>(d) No later than July 1, 1968 the Mayor shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, <u>and</u> probationary periods of employment removals, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the town. Such rules and any amendments thereto shall become effective upon being filed by the Mayor with the Town Clerk <u>and the Town Council Clerk</u>. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.</p>
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<p>Chapter VII. Merit System Sec. 7.2 The Classified Service. ITEM E</p> <p>(e) Any member of the classified service may be removed only for the good of the service and any officer desiring to remove, or otherwise discipline, an employee shall notify the employee in writing of the reasons for the proposed removal or other disciplinary action. The employee charged may request a hearing before the Personnel Appeals Board, which shall within ten days grant such hearing. The Personnel Appeals Board shall make a public finding as to whether or not the charges are true and as to whether they constitute grounds for removal. The final action in the matter, subject to any statutory rights of the employee, shall be made by the officer having powers of appointment and removal.</p>	<p>Amended with the following:</p> <p>(e) Any member of the classified service may be removed only for the good of the service and any officer desiring to remove, or otherwise discipline, an employee shall notify the employee in writing of the reasons for the proposed removal or other disciplinary action. The employee charged may request a hearing before the <u>Director of Human Resources</u>, who shall within ten days grant such hearing. <u>The Director of Human Resources</u> shall make a public finding as to whether or not the charges are true and as to whether they constitute grounds for removal. The final action in the matter, subject to any statutory rights of the employee, shall be made by the officer having powers of appointment and removal.</p>
<p>Chapter VII. Merit System Sec. 7.4 Personnel Appeals Board.</p> <p>(a) There shall be a Personnel Appeals Board, the number of members and terms of which shall be determined by ordinance. The Mayor shall appoint one-third of the members and the selection of the remainder shall be determined by ordinance.</p> <p>(b) When an employee brings a matter to the Board, the Board shall have the power to require officers and employees of the town to appear and give testimony and present evidence and may hear testimony from other sources.</p> <p>(c) The Board shall seek to assure that the employment system of the town is fair and equitable and serves the interests of the town while respecting the proper claims of the employees. The Board shall make findings and recommendations in individual cases brought before it and may make recommendations to the council or to the mayor for improvements in the employment system.</p>	<p>Deleted in its entirety.</p>

<p>Sec. 8.5 Initiative, Referendum Vote Required.</p> <p>Any question placed before the voters under the procedures specified by this Chapter shall fail, unless the total number of votes cast on the question or questions is at least twenty per cent of the electors eligible to vote at the immediately preceding regular election. If twenty percent of the eligible electors vote, the question shall pass upon a majority of those voting thereon. If the vote to repeal fails, the ordinance or measure as passed by the Council shall become effective immediately.</p>	<p>Simplified to the Following:</p> <p>Any question placed before the voters under the procedures specified by this Chapter shall fail, <u>unless approved by a majority of the electors voting thereon.</u> If a vote to repeal fails, the ordinance or measure as passed by the Council shall become effective immediately.</p>
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June 15, 2021 Town Council Organizing Resolution

Establishment of Charter Revision Commission

MOTION By Awet Tsegai

seconded by Esther Clarke

to **adopt** the following resolution:

Whereas the East Hartford Town Council adopted a Town Charter in 1968 and subsequently revised the Town Charter in 1980 and 2004; and
Whereas many of the Charter provisions should be clarified to address issues that have arisen during the 17 years since the last revision; and
Whereas in particular, the Commission should consider (1) whether the Town Charter should continue to list all town departments or provide some flexibility to consolidate or transfer functions of town departments without a charter revision; (2) whether the town directors should serve at the pleasure of the mayor or have some job security protections; and (3) whether the Town should have a professional person in charge of overseeing all town government operations; and
Whereas the Connecticut General Statutes establish the procedures for revising town charters.

NOW THEREFORE BE IT RESOLVED THAT:

The East Hartford Town Council, pursuant to Connecticut General Statutes section 7-188, establishes a Charter Revision Commission to review the East Hartford Town Charter and make recommendations for any amendments to such charter; and
The Charter Revision Commission shall consist of nine members; and
The Charter Revision Commission shall review the East Hartford Town Charter and address minor and technical changes along with the three specific issues contained in this resolution, hold a public hearing and address such other issues as it deems appropriate; and
The Charter Revision Commission shall make its recommendations in accordance with state law to the East Hartford Town Council by January 30, 2022.

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

December 14, 2021 Director Compensation Town Council Resolution

Recommendation from Personnel & Pensions re: Directors' Compensation Study

MOTION By Awet Tsegai
 seconded by Tom Rup
 in accordance with the provisions of Section 3.4 and Section 5.25 of the East
 Hartford Town Charter, I move that the Town Council establish the pay plan for
 directors, mayor's chief of staff and the police and fire chief as set out in a
 document entitled "Uniform Compensation Plan for Directors of the Town of East
 Hartford" dated January 1, 2022, provided further that the Town Council shall
 annually review such plan and adopt any appropriate changes as part of the
 annual adoption of the town budget.
 Motion carried 7/0.

**TOWN COUNCIL RECOMMENDATIONS
TO THE EAST HARTFORD CHARTER REVISION COMMISSION
May 16, 2022**

The East Hartford Charter Revision Commission has made significant, substantive recommendations for changes to the East Hartford Town Charter which will facilitate the efficient operation of town government. The Town Council urges the Commission members to consider the attached minor and technical changes to provide clarity and uniformity of charter language.

These changes are summarized, by chapter below:

Chapter III.

Section 3.1 The charter references ‘office of profit under the government’. The question of what that term means has occurred over the past few years without a lot of clarity. The meaning seems to be a position for which the person is compensated. To avoid future questions, the proposed change no longer used the term office of profit and instead uses “town government elected or appointed position for which such person is compensated”

Section 3.2 The charter sets the first meeting of a newly elected town council as the first Monday after the town election which in some years is Veterans’ Day. By practice, the meeting is pushed to the next day. This change codifies that practice and eliminates any question about whether to meet on a national and state holiday but providing when the Monday is a holiday, the first meeting will be on the succeeding Tuesday

Section 3.2(c) Eliminates the use of pronouns and uses the position’s name

Section 3.4(g) Clarifies that the Council sets fees charged for use of or access to town property. The issue had previously come up regarding charges for private companies to provide fax services to the public in the library

Section 3.5 Eliminates the parentheses as use of such does not occur in state or municipal statutes

Section 3.10 Eliminates the use of pronouns and uses the position’s name

Chapter IV

Section 4.2 Addresses the same ‘office of profit’ issue as in section 3.1 and eliminates the use of pronouns and uses the position’s name. Makes the first two sentences of (a) a separate subsection for clarity and renumbers the subsequent sections

Section 4.2(c) Changes ‘enquire’ to ‘inquire’

Section 4.3(c) Makes uniform the references to charter sections as “Section xx of the Charter” and corrects the reference from section 6.8 to section 6.9 as section 6.8 has nothing to do with checks being countersigned

Section 4.3 (e) Working with the mayor several years ago, the Town Council set up a process in ordinance for removing board or commission members especially for non-attendance. This change aligns the charter language with the ordinance process which includes automatic removal if there is a failure to attend one third or more of the meetings

Chapter V

Section 5.1 Eliminates the use of pronouns and uses the position's name

Section 5.2 Eliminates 'at his or her option' since the language already states that the Town Clerk 'may'

Section 5.3 Eliminates the use of pronouns and uses the position's name and eliminates 'at his or her option' because the language already states the Town Treasurer 'may'

Section 5.4 Makes uniform the reference to 'Council'. Clarifies that any change in departments is subject to approval by the Council rather than 'shall be approved' which makes it sound like the Council has no other option

Section 5.6 (a) Makes uniform the references to charter sections and eliminates the use of pronouns

Section 5.6 (c) Eliminates the use of pronouns and uses the position's name

Section 5.7 Eliminates the use of pronouns and uses the position's name and splits up the Director's program authority into three subdivisions for clarity

Section 5.8 The provision allows the Public Works Department to provide services to the board of education provided the costs are assessed to the board. Over the years, the town and the board have provided various services to each other with assessing the actual cost to the other. This amendment provides for assessment of costs if the Town Council requires it which will align with current practice

Section 5.9 Makes uniform the references to charter sections

Section 5.11 Makes uniform the references to charter sections

Section 5.13 Makes uniform the references to charter sections and eliminates the use of pronouns

Section 5.14 Eliminates the use of pronouns and uses the department reference

Section 5.17 Eliminates the use of pronouns and uses the position's name and eliminates 'town' in front of 'council'

Section 5.19 Eliminates the use of pronouns and uses the position's name. Section 5.21 Eliminates the use of pronouns and uses the position's name. Section 5.22 Eliminates the use of pronouns and uses the position's name. Section 5.25 Eliminates 'and/or' which is not a term used in statutory language. Section 5.27 Eliminates the use of pronouns and uses 'such person'

Chapter VI

Section 6.2 Eliminates the use of pronouns and uses the position's name

Section 6.3 Makes uniform the references to charter sections

Section 6.4 Makes uniform the references to charter sections

Section 6.4(d) Clarifies the mayor's veto or reduction of budget items is effective unless overridden by the Council. The language currently says approval or disapproval by the mayor

Section 6.5 (a) and (b) Eliminates 'town' in front of 'council'

Section 6.5 (d) Eliminates the use of pronouns

Section 6.7 Changes reference to chairman to chairperson

Section 6.9(b) Eliminates the use of pronouns and uses the position's name

Section 6.9(c) Adds commas to separate "and the manner in which" for clarity

Section 6.9(d) changes "examine into the matter" to 'examine the matter'

Chapter VII

Section 7.1 Makes uniform the references to charter sections

Section 7.2 Aligns the language of this section with the changes to section 5.26 where compensation includes vacation time, sick leave and other leaves of absence. Section 5.26 requires Town Council approval. The personnel rules in section 7.2 do not. It has been understood that any compensation for any town government employee would be in accordance with a systemic pay plan approved by the Town Council

Chapter VIII

Section 8.2 Makes uniform the reference to charter sections, eliminates "town" before "council"

Section 8.3 Makes uniform the reference to charter sections and makes the correct section reference regarding the adoption of ordinance provisions. Eliminates "town" before "council" in several references

Section 8.4 Makes uniform the reference to charter sections and makes the correction section reference regarding the referendum petition form

Chapter I. Incorporation and General Powers

Sec. 1.1 Incorporation and General Powers.

All the inhabitants dwelling within the territorial limits of the Town of East Hartford, as unified and consolidated according to the provisions of Special Act No. 501 of the 1929 Session of the Connecticut General Assembly, as heretofore constituted, shall continue to be a body politic and corporate under the name of "The Town of East Hartford," hereinafter called "the town." The Town of East Hartford shall have perpetual succession, may hold and exercise all powers and privileges heretofore exercised by the town not inconsistent with the provisions of this charter; and shall have the additional powers and privileges conferred in this Charter; in addition to all powers and privileges conferred upon towns under the constitution and general laws of the State of Connecticut.

Sec. 1.2 Rights and Obligations.

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate in the town as of the effective date of this Charter (April 2, 1968) are continued in said town and the town shall continue to be liable for all debts and obligations of every kind for which the town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right of the town to collect any assessment, charge, debt, or lien. If any contract has been entered into by the town prior to the effective date of this Charter (April 2, 1968) or any bond or undertaking has been given by or in favor of the town which contains provisions that the same may be enforced by any commission, board, department or officer therein named, which is abolished by the provisions of this Charter, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect and the powers conferred and the duties imposed with reference to the same upon any such commission, board, department or officer shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Mayor of said town.

Sec. 1.3 General Grant of Power.

In addition to all powers granted to towns under the constitution and general law, the town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the town, including the power to enter into contracts with the United States or any federal agency, State of Connecticut or any political subdivision thereof for services and the use of facilities, the exercise of which is not expressly forbidden by the constitution and general laws of the State of Connecticut. The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

Chapter II. Elections

Sec. 2.1 General.

(a) Nomination and election of federal and state officers, including Registrars of Voters, and of such elective municipal officers, boards and commissions as are provided for in this Charter shall be conducted, and the Registrars of Voters shall prepare lists of electors qualified to vote therefor, in the manner prescribed in the constitution and general laws of the State of Connecticut, except as hereinafter provided.

(b) A meeting of the electors of the Town of East Hartford for the election of municipal officers shall be held on the Tuesday after the first Monday of November in 1969, and biennially thereafter. At such meeting there shall be elected a Mayor, Treasurer, nine members of the Town Council, not more than six of whom shall be of the same political party, three Selectmen and seven Constables all for terms of two years, and all elected at large.

(c) Also, at such meeting to be held in 1969 there shall be elected five members of the Board of Education for terms of four years. Alternately thereafter at each biennial election there shall be elected four members and then five members of the Board of Education for terms of four years to succeed those whose terms expire.

(d) The terms of all municipal officers shall commence on the first Monday following their election and they shall hold office until their successors have been chosen and qualified. Except as otherwise provided in this Charter, all elective town officers, boards and commissions shall have the powers and duties prescribed by law.

Sec. 2.2 Minority Representation.

Minority representation on any elective or appointive board, commission, committee or similar body of the town shall be in conformity with the appropriate minority representation provisions of the General Statutes. No political party shall nominate for any elective office a number of candidates exceeding the number it may elect.

Sec. 2.3 Voting Districts.

The number of voting districts and their boundaries shall be established by ordinance in conformity with provisions of the General Statutes.

Sec. 2.4 Breaking the Tie.

When any regular or special municipal election or primary election conducted pursuant to the provisions of this Charter results in a tie, an adjourned election shall be conducted in accordance with the provisions of the General Statutes as may be amended.

Sec. 2.5 Vacancies.

Any vacancy in any elective town office other than on the Board of Education shall be filled by

appointment by the Town Council for the unexpired portion of the term or until the next biennial election in accordance with the provisions of the General Statutes; provided, that when the persons vacating the office shall have been elected as a member of a political party, such vacancy shall be filled by the appointment of a member of the same political party.

Sec. 2.6 Eligibility.

No person shall be eligible for election to any town office who is not at the time of the election a resident elector of the town and any person ceasing to be a resident and elector of the town shall thereupon cease to hold elective office in the town.

Sec. 2.7 Removal of Elected Officials.

Any elected town official may be removed from office for cause which shall include, but not be limited to, conviction of a felony, conviction of a lesser crime involving fraudulent or dishonest conduct, willful violation of this Charter, or a willful violation of the Town's Code of Ethics. No removal proceeding shall commence except upon a vote of a majority of the membership of the Town Council that there is probable cause to believe grounds for removal exist. A hearing thereon before the full Town Council shall take place after the determination of probable cause. Written notice by the Town Council of the charges and the time and place of the hearing shall be given to the official at least two weeks before such hearing. The Town Council may appoint legal counsel to present evidence of the charges at the hearing. At the hearing, the official shall have the right to be represented by legal counsel. The official and the Town Council's legal counsel shall have the right to examine and cross-examine witnesses and to present evidence. A decision to remove an elected official shall require an affirmative vote of seven members of the Town Council.

Chapter III. The Town Council

Sec. 3.1 -The Town Council.

There shall be a Town Council consisting of nine members ~~hereinafter referred to as the Council~~. No member of the Town Council shall hold any other ~~office of profit under the government-~~ town government elected or appointed position for which such person is compensated or -be employed by the Town of East Hartford except as permitted by law, nor shall the member during the term of office be appointed to any office of profit under the government of the Town.

Sec. 3.2 Presiding Officer and Clerk.

(a) With the Mayor presiding, the Town Council shall meet at seven thirty p.m. on the second Monday in November, 1969 and biennially thereafter, and shall choose one of its members to be Chairperson of said Town Council to preside at all meetings, but such office shall not deprive such Chairperson the right to vote on any question, provided when such day is a federal or state holiday such meeting shall be held on the succeeding Tuesday.

(b) The Chairperson shall also be the Deputy Mayor and shall exercise the powers and duties of the Office of Mayor in the event of the absence, death, disability or resignation of the Mayor provided if the Chairperson is unable to assume the office of Mayor, the Vice Chairperson shall assume the office of Mayor. If the Vice Chairperson is unable, the Town Council shall elect one of its members to assume the Office of Mayor. The fact of disability of the Mayor shall be determined by an affirmative vote of eight of the members of the Town Council and shall continue for such time until a majority of the Town Council members determine that such disability no longer exists. If a Town Council member assumes the powers and duties of the Mayor until the next biennial election, the Town Council member shall resign from the Town Council, and the Town Council shall fill the vacancy for the remainder of the Town Council's term. During all other periods when the Deputy Mayor exercises the powers and duties of Mayor, the Deputy Mayor shall retain the right to vote as a Councillor.

~~(b) The Chairperson shall also be the Deputy Mayor and shall exercise the powers and duties of the Office of Mayor in the event of the absence, death, disability or resignation of the Mayor. The fact of disability of the Mayor shall be determined by an affirmative vote of eight of the members of the Council and shall continue for such time until a majority of the Council members determine that such disability no longer exists. If the Deputy Mayor shall assume the powers and duties of the Mayor until the next biennial election, the Deputy shall resign from the Council, and the Council shall fill the vacancy for the remainder of the Council's term. During all other periods when the Deputy Mayor exercises the powers and duties of Mayor, he or she shall retain his or her vote as a Councillor.~~

(c) Upon selection of a Chairperson, the Town Council shall elect one of its members to the office of Vice Chairperson who shall assume the Chairperson's duties in ~~his or her~~ the Chairperson's absence including powers and duties of Deputy Mayor.

(d) At such meeting, and biennially thereafter, the Town Council shall also select a Clerk of the Town Council who shall receive and transmit communications for the Town Council and shall keep the records of its meetings and transactions in accord with the provisions of this Charter, the Ordinances, and Rules of the Town Council and perform such other services for the Council as may by resolution be prescribed.

Sec. 3.3 Procedure.

(a) At the first meeting of the Town Council following each biennial town election said Town Council shall by resolution fix the time and place of its regular meetings, which shall be at least

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once each month, and provide for the calling of special meetings. The Chairperson shall have the power to call a special meeting of the Town Council at any time and shall call such meeting whenever requested by one-third or more of the Town Councilors so to do. The call for each special meeting of the Town Council shall state the purposes of the meeting and shall be served upon or mailed to each Councilor at least twenty-four hours before the hour of said meeting; but the lack of a call or the insufficiency of the service thereof shall not invalidate any meeting of the Town Council at which all members shall be present. No business shall be acted upon at any special meeting except that concerning which notice of proposed action shall have been given in the call for the meeting. The Town Council shall by resolution determine its own rules of procedure.

(b) All meetings of the Town Council for the transaction of business shall be open to the public and the votes shall be recorded in accordance with law. Five members shall constitute a quorum. All ordinances and resolutions shall be confined to one subject which shall be clearly stated in the title.

(c) The Town Council shall keep for public inspection -minutes of all its proceedings, including all roll call votes, which shall be the official record of its proceedings. Said -minutes shall be maintained by the Clerk of the Town Council. The record so kept shall be authenticated for each meeting by the signature of the Chairperson or the Clerk or of both.

Sec. 3.4 -General Powers and Duties.

(a) The Town Council shall have the powers and duties which, on the effective date of this Charter (April 2, 1968) were conferred by law upon officers, boards and commissions of said town existing prior to such date except as otherwise specifically provided in this Charter. The legislative power of the town shall be vested exclusively in the Town Council, except as otherwise provided in section 3.10 of the Charter-

(b) The Town Council shall have the power to enact, amend or repeal ordinances not inconsistent with this Charter or the General Statutes of the state; to create or abolish, by ordinance, boards or commissions; to establish the rate of compensation for the members of the succeeding Town Council.

(c) The Town Council may contract for services and the use of the facilities of the United States or any federal agency, the State of Connecticut and any political subdivision thereof, or may, by agreement join with any such political subdivision to provide services and facilities. The Town Council may establish such rules and regulations by ordinance as it deems necessary in order to enable the Purchasing Agent to enter into regional purchasing agreements, retaining such controls as are required by this Charter. The Town Council shall not, however, commit the town to participation in any metropolitan or regional government, nor to any metropolitan, regional or municipal governmental body to which the town's control over its municipal service is transferred in whole or in part, regardless of the town's representation thereon, without prior approval by the voters at a referendum called for that purpose at a special or general election.

(d) The Town Council is authorized, in adopting ordinances, to incorporate any nationally recognized code, rules or regulations that have been printed in book form, or any code officially adopted by any administrative agency of the state, or any portion thereof, by reference thereto in such ordinance; provided, upon adoption of any such ordinance wherein such code, rules or regulations or portions thereof have been incorporated by reference, there shall be maintained copies of such code, rules or regulations in the office of the Town Clerk for examination by the public, and there shall be available copies of such code, rules or regulations or portions thereof as are incorporated by reference in any ordinance for sale at cost to any member of the public.

(e) The Town Council may fix the penalty for the violation of any of the bylaws,

ordinances, and enactments made by it in accordance with State law.

(f) The Town Council may, by resolution, regulate the internal operations of the boards, commissions and offices which it fills by appointment, and fix the compensation of the Selectmen, the Registrars of Voters, and the officers and employees not in the classified service as hereinafter

provided in this Charter. The Town Council shall establish, by ordinance, the qualifications of appointed officers and employees not in the classified service hereinafter provided.

~~(g) The Town Council may fix the charges, if any, to be made for services rendered by the town or the execution of powers vested in the town including the use of or access to, town property.~~

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~~(h) The Clerk shall refer a copy of each ordinance introduced to the Corporation Counsel for advice regarding the validity, legal effect, style, and form of the proposal, but such advice shall not be binding upon the Town Council.~~

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~~(g) The Council may fix the charges, if any, to be made for services rendered by the town or the execution of powers vested in the town.~~

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~~(h) The Clerk shall refer a copy of each ordinance introduced to the Corporation Counsel for advice regarding the validity, legal effect, style, and form of the proposal, but such advice shall not be binding upon the Council.~~

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Sec. 3.5 Public Hearing on and Publication of Ordinances.

At least one public hearing, notice of which shall be given at least five days in advance by publication in a newspaper having general circulation in the Town of East Hartford, and by posting a notice in a public place, shall be held by the Town Council before any ordinance shall be passed. Every ordinance, (except bond ordinances), after passage, shall be assigned a serial number and shall become a part of the Town's Code of Ordinances. Upon final passage, the Town Clerk shall keep an updated Code of Ordinances in accordance with the General Statutes. Within ten days after final passage, all ordinances shall be published once in their entirety in a newspaper having general circulation within the town. Every ordinance, unless it shall specify a later date, shall become effective on the twenty-first day after such publication following its final passage.

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Sec. 3.6 -Emergency Ordinances.

An ordinance stated to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after publication thereof as required in ~~Sec 3.5 section 5 of this chapter~~ and no public hearing or notice of public hearing shall be required for any public emergency ordinance. An emergency ordinance shall be effective for sixty days following passage.

Sec. 3.7 Investigation.

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The Town Council shall have the power to investigate any and all departments, offices and agencies of the town and for such purposes shall have the power to call witnesses to appear before the Town Council to testify on any matter under investigation. There shall be a committee of the Town Council on investigations and audits, including proportionate minority representation, and such committee shall employ a certified public accountant to develop under its direction a regular Town eCouncil audit program in addition to the independent audit and may employ such other investigatory services as it deems necessary. If any nonelective officer or employee of the town who, upon receipt of adequate notice and opportunity, fails to appear or refuses to testify when so called by the Town Council, such refusal or failure shall be deemed to

be grounds for dismissal from said office or position.

Sec. 3.8- Relations to Administrative Service.

Neither the Town Council nor any of its members shall direct or request the appointment of any person to any office or employment, or direct or request the removal of any person from any office or employment which office or employment, by the provisions of this Charter, the Mayor or any of ~~his~~ the Mayor's appointees are empowered to fill by appointment, provided the Mayor may seek advice from the Town Council regarding appointments and provided further the Town Council may prefer charges in writing against any officer or employee appointed by the Mayor in the manner hereinafter prescribed for the removal of officers and employees. The Town Council and its members shall deal with the Administrative Service solely through the Mayor and neither the Town Council nor any member thereof shall give orders to any of the subordinates of the Mayor either publicly or privately, provided a properly constituted meeting of the Town Council, which the Mayor has been invited to attend, may call before it any employee or officer for the purpose of investigation.

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Sec. 3.9 -Annual Audit.

The Town Council shall annually designate an independent public accountant to audit the books and accounts of the town in accordance with the provisions of the General Statutes, as amended. In addition to the annual audit, the Town Council shall obtain an audit of any nonrecurring project (except for single expenditures for goods or services) costing more than \$500,000.00, if no state or federal audit is required. The Town Council shall designate an independent public accountant to conduct such audit.

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Sec. 3.10 Approval of Ordinances and Appropriations by the Mayor.

(a) Every ordinance except an emergency ordinance shall, before it becomes effective, be certified to the Mayor for his approval. The Mayor shall, within five days of passage by the Town Council, sign the proposed ordinance, if ~~he~~ the Mayor approves it, whereupon, subject to the provisions of Section 3.5 of this chapter, it shall become effective. If ~~he~~ the Mayor disapproves a proposed ordinance, ~~he~~ the Mayor shall within five days return it to the Clerk of the Town Council with a statement of the reasons for ~~his~~ disapproval which statement shall be transmitted by said Clerk to the Town Council at its next meeting. If the Town Council shall pass the proposed ordinance by an affirmative vote of at least six members within seven days after such ordinance has been received by the Town Council in meeting with the Mayor's disapproval, it shall become effective without his approval. If the Mayor does not return the proposed ordinance within the time required, it shall become effective without ~~his~~ their approval. The Mayor may disapprove or reduce any item or items in any appropriation, whereupon the approved portion of the appropriation shall become effective unless the disapproved or reduced portion thereof is passed by the Town Council over the Mayor's veto in the manner herein provided, in which case the entire appropriation shall become effective as finally passed.

(b) In computing the time periods specified in this Section, the period begins with the first day after Town Council approval and does not include Saturdays, Sundays and legal holidays.

Chapter IV. The Mayor

Sec. 4.1 Election and Qualification.

At each town election a Mayor shall be chosen by the electors of the town. Such Mayor shall serve for a term of two years and until a successor shall be elected and qualified and shall take office on the first Monday following the town election. The Mayor shall be the chief executive officer of the town and shall receive such compensation as shall by ordinance be fixed by the Town Council.

Sec. 4.2 Duties.

(a) The Mayor shall be directly responsible for the administration of all departments, agencies, and offices in charge of persons or boards appointed by him or her and shall supervise and direct the same. The Mayor shall also be the Director of Emergency Management.

(b) ~~The Mayor shall appoint and may remove a Chief Administrative Officer to assist the Mayor with the day-to-day administration of all departments, agencies and offices of the Town. The Chief Administrative Officer shall be appointed based upon generally accepted professional experience, education, and qualifications as established by ordinance. The Chief Administrative Officer shall report solely to the Mayor, shall perform such duties and responsibilities as are assigned by the Mayor, and shall be responsible to the Mayor in the exercise of powers and in the performance of duties hereunder. The ability to assign responsibilities to a Chief Administrative Officer shall not abrogate the Mayor's responsibilities or rights under this Charter.~~

~~(a)~~

(b)(c) ~~The Mayor shall devote full time to the duties of the office. The Mayor shall hold no other office of profit under the government of the town, town government elected of appointed position for which such person is compensated nor shall he or she the Mayor during the term for which he or she the Mayor is elected be appointed to any office of profit under the government of the town such position.~~

(e)(d) The Mayor shall see that all laws and ordinances governing the town are faithfully executed; shall make periodic reports to the Town Council and may attend its meetings; shall prepare and cause to be printed, as soon as possible after the close of the fiscal year an annual town report; shall recommend to the Town Council such measures as ~~he or she may deem~~ necessary or expedient; shall keep the Town Council fully advised as to the financial condition of the town; shall prepare and submit to the Town Council an annual budget as provided in Chapter VI of this Charter; and shall exercise such other powers and duties as may be authorized by ordinance or resolution of the Town Council not inconsistent with this Charter.

(d)(e) The Mayor shall have the power to ~~enquire~~ inquire directly, or through a designated agent, into the activities of any organization spending town funds and to require complete disclosure of information, with persistent resistance to such request being grounds for dismissal.

(e)(f) The Town Council shall not diminish by ordinance, vote or otherwise the powers and duties of the Mayor, except those powers and duties imposed on ~~him or her~~ the Mayor by the Town Council.

(f)(g) The Mayor may at ~~his or her~~ their option become a contributing member of the town retirement system.

Sec. 4.3 -Appointments and Terms.

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(a) The Mayor ~~shall appoint and may remove shall appoint and may remove~~ all department heads and other officers and employees of the town, except as otherwise specifically provided by this Charter and except employees in the offices of elected officers or boards. The terms of such appointees shall terminate on the same date as the term of the Mayor except such appointees may continue to serve until their successors are appointed and qualified, and except that the terms of board and commission members shall be those provided by statute or ordinance.

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(b) The Chiefs of the Police and Fire Departments shall be in the classified service and shall be appointed and serve under the merit system.

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~~(b)~~

(c) ~~In lieu of any appointment by the Mayor or any of his or her appointees to any office under his or her jurisdiction the~~ The Mayor may, subject to the approval of the Town Council, perform the duties of any office under ~~his or her~~ the Mayor's jurisdiction, except those of the Town Treasurer, provided in case the Town Treasurer is absent or unable to act, the Mayor may countersign checks in accordance with the provisions of ~~Chapter VI, Section 8 of this Charter~~ Section 6.9 of the Town Charter.

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(d) The Mayor shall appoint, with the consent of the Town Council, the members of the Board of Tax Review, the Town Planning and Zoning Commission and the Zoning Board of Appeals at such times and for such terms as are prescribed in the statutes, this Charter, or ordinances. The Mayor shall in like manner appoint members of other commissions, committees, and boards created by the Town Council to administer programs or parts of programs and appoint individuals to represent the town on regional bodies.

(e) The Mayor may terminate any of these appointments made with consent of the Town Council for persistent nonattendance at meetings ~~or. The Mayor may propose the termination of any of these appointments~~ for cause and the termination shall be effective ~~if a vote with an affirmative vote of the Town Council upholds the sufficiency of the cause. The process for removal of persistent non-attendance or for cause shall be established by ordinance.~~

(f) The Mayor may appoint citizen advisory or study committees to serve for the purposes and periods ~~he or she~~ the Mayor determines.

(g) The power to remove an officer or employee shall include, wherever it appears in this Charter, the power to suspend, either pending investigation or as a disciplinary penalty under the applicable standards.

Chapter V. Offices and Departments

Sec. 5.1 -Corporation Counsel.

(a) The Mayor shall appoint, and may remove, a Corporation Counsel, who shall be an attorney of at least five years' practice in the State of Connecticut.

(b) The Corporation Counsel shall appear for and protect the rights of the town in all actions, suits or proceedings brought by or against it or any of its departments, officers, agencies, boards or commissions. The Corporation Counsel shall be the legal advisor of the Town Council, the Mayor, and all town officers, boards and commissions in all matters affecting the town and shall upon written request furnish them with a written opinion on any question of law involving their respective powers and duties.

(c) When a board or commission requests an opinion, the Corporation Counsel shall prepare a written opinion stating his or her best advice as to the legality, efficacy or validity of the actions or positions proposed by the board or commission requesting the opinion. In a final paragraph of the written opinion, the Corporation Counsel shall indicate whether ~~the~~ conclusion follows with substantial certainty from the applicable law or whether it simply represents ~~his or her~~the Corporation Counsel's best judgment as to applicable law and that there is some degree of uncertainty in determining what a court will ultimately decide. In all cases where the Corporation Counsel has indicated in ~~his or her~~her written opinion that the conclusion follows with substantial certainty from applicable law, such written opinion will be binding upon the board or commission which requests such opinion. This subsection does not apply to opinions requested by the Town Council.

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(d) Upon request the Corporation Counsel shall prepare or approve forms of contract or other instruments to which the town is a party or in which it has an interest.

(e) The Corporation Counsel shall have power to appeal from orders, decisions and judgments and, subject to approval of the Town Council, to compromise or settle any claims by or against the town. The Corporation Counsel shall have such other powers and duties as may be prescribed by the Town Council.

(f) If in special circumstances or for any investigation under Chapter III, Section 7 ~~the~~ Town Council deems it advisable, it, by resolution, may provide for the temporary employment of counsel other than the Corporation Counsel.

(g) The Corporation Counsel shall appoint, and may remove, such part time assistant Corporation Counsels and temporary employees as ~~he or she~~deems necessary. In addition, there shall be a full time Assistant Corporation Counsel who shall be a member of the classified service and subject ~~to~~ all of the provisions of Chapter VII of this Charter.

Sec. 5.2 -Town Clerk.

The Mayor shall appoint, and may remove, a Town Clerk, who shall have all powers and duties conferred or imposed by law on town clerks, who may act as Clerk of the Town Council if selected, and who shall have such other powers and duties as are prescribed in this Charter or by the Town Council. The Town Clerk shall appoint and remove, subject to such rules and regulations as may be adopted pursuant to the merit provisions of Chapter VII of this Charter all deputies, assistants or employees in the office. The Town Clerk shall receive a compensation fixed by the

Town Council and all fees collected by -the office shall be paid into the town treasury. The Town Clerk may, ~~at his or her option,~~ become a contributing member of the town retirement system.

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Sec. 5.3 -Town Treasurer.

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The Town Treasurer shall be Treasurer of town funds and school funds, and shall countersign all checks. ~~He or she~~The Treasurer shall be responsible for the issuance of bonds authorized by the town, the payment of interest and principal obligations on debt of the town, the borrowing of money in anticipation of taxes, or other issuance of temporary notes, and all duties imposed by- the General Statutes on the Treasurer of the town. The Town Treasurer shall also be agent of the town deposit fund. The Treasurer may ~~at his or her option~~ become a contributing member of the town retirement system.

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Sec. 5.4 -Administrative Departments.

(a) There shall be the following administrative departments: a Department of Finance, a Human Resources Department, a Department of Development, a Treasury Department, a Police Department, a Fire Department, a Public Works Department, a Department of Parks and Recreation, a Department of Inspections and Permits, a Department of Health and Social Services, a Department of Youth Services, a Department of Information Technology and a Department of Libraries. Such departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by law and by ordinance or by resolution of said Town Council.

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(b) Subject to Connecticut General Statutes, the Mayor shall have the authority (i) to appoint one individual to serve as the Director of one or more administrative Departments; and (ii) realign responsibilities between, merge, or rename administrative departments. Such appointments shall be communicated to the Town Council. Any realignment, merger, or renaming of department shall be subject to approval by the Town Council.

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Sec. 5.5 -Department of Finance.

(a) The Department of Finance shall be responsible for the keeping of accounts and financial records, the assessment and collection of taxes, special assessments and other revenues, the control over expenditures and such other powers and duties as may be required by ordinance or resolution of the Town Council.

(b) The department shall in addition have responsibility ~~for developing applications of electronic data processing to town financial and operating information,~~ for the planning and placement of ~~for~~ insurance of the town's risks, and for the administration, including further planning, of the town retirement system.

(c) Accounts shall be kept by the Department of Finance showing the financial transactions for all departments and agencies of the town. Forms for such accounts shall be prescribed by the Director of Finance with the approval of the Mayor. Financial reports shall be prepared for each quarter and for each fiscal year and for such other periods as may be required by the Mayor.

Sec. 5.6- Director of Finance.

(a) Except as provided in ~~Chapter IV, Section 3~~Section 4.3 of this Charter, the Mayor shall appoint and may remove a Director of Finance who shall have direct supervision over the Department of Finance and the administration of the financial affairs of the town. The Director of Finance shall exercise

~~his or her~~the powers and discharge ~~his or her~~the duties of the office under the supervision of the Mayor. The Director of Finance shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, a Tax Collector, an Assessor, a Purchasing Agent, and all other employees of the Department of Finance. Subject to the approval of the Mayor, the Director of Finance may perform the duties of any office ~~under his or her supervision~~within the department and may consolidate one or more such offices under one person.

(b) The Tax Collector and the Assessor shall have the powers and duties imposed by law on such officers, and shall have such other powers and duties as the Town Council may prescribe.

(c) The Purchasing Agent of the town shall purchase all supplies, materials, equipment and other commodities required by any department, agency, board or commission of the town except the Board of Education, libraries and the Probate Court, on requisitions signed by the head of the department, office or agency or Chairman-chairperson of the board or commission or responsible representative appointed by ~~him or her~~the Purchasing Agent. Nothing herein contained shall be construed to prevent- the town Purchasing Agent from serving as Purchasing Agent for the Board of Education, libraries or the Probate Court upon the request of the Board of Education, a Judge of such Court or the Director of Libraries. Purchases shall be made under such rules and regulations as may be established by the Town Council, provided, if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time involves the expenditure above the threshold limit established by the Town Council by ordinance, the Purchasing Agent, unless it shall be determined by the Town Council to be against the best interests of the town, shall invite sealed bids or proposals, giving ten days public notice thereof by publication at least once in a newspaper having circulation in the town and shall award the purchase or contract to the lowest bidder thereon, or may reject all such bids or proposals. All such sealed bids or proposals shall be opened publicly.

Sec. 5.7 -Director of Human Resources.

The Mayor shall appoint and may remove the ~~-~~Human Resources Director. The Director shall have responsibility for administering the merit system provided for in this Charter, ~~he or she~~the Director shall initiate programs for (i) the recruitment of the best available persons to fill vacant positions in the town service, for continued training and evaluation of the employees and officers, for employee relations generally, ~~for~~(ii) assistance to department heads and the Mayor in dealing with organized employees, and ~~for~~(iii) interpreting to the employees and potential employees the opportunities and terms of employment with the Town of East Hartford. The Human Resources Director shall have a general responsibility for making employment with the town attractive to able people, productive and efficient, equitable in its relationships, fair in its opportunities, and personally satisfying. The Director shall, for these objectives, develop and propose to the Mayor, the Town Council, or both, from time to time changes in personnel policies. In addition to these duties and those following from Chapter VII, ~~he or she~~the Director may be assigned additional tasks by the Mayor or the Town Council. The Director shall appoint and remove subject to such rules and regulations as may be adopted pursuant to the merit provisions of Chapter VII of this Charter all assistants or employees in the office. The Director shall exercise ~~his or her~~the powers, and discharge ~~his or her~~the duties of the department under the supervision of the Mayor.

Sec. 5.8 Department of Public Works.

The Department of Public Works shall have supervision and control of the maintenance of all town owned structures, except such structures as are under the control of the Board of Education, the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspecting of highways, sidewalks and curbs, flood control, public and private storm drains, and other public improvements, town buildings, and the preservation, care and removal of trees within highways or public places, all engineering work of the town and the collection and disposal of garbage, rubbish and ash, provided that the inspection of sidewalks shall be a function of the Department of Inspections and Permits, and shall have such other powers and duties as the Town Council may prescribe. Any provision of this section to the contrary notwithstanding, the Department of Public Works may maintain and care for school buildings and grounds, but only if and to the extent and for the period requested by the Board of Education and approved by the ~~Town Council~~, provided the costs are charged ~~against the Board of Education's appropriations~~ in accordance with the provisions of the Town Council approval.

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Sec. 5.9 Director of Public Works.

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Except as provided in ~~Chapter IV, Section~~ ~~Section 4.3-3~~ of this Charter, the Mayor shall appoint and may remove a Director of Public Works who shall be responsible for the efficiency, discipline, and good conduct of the department and who, in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions contained in Chapter VII of this Charter, shall appoint and may remove such deputies, assistants and employees as ~~he or she may deemed~~ necessary and shall prescribe their duties. The Director of Public Works shall exercise ~~his or her~~ the powers, and discharge ~~his or her~~ the duties ~~of the department~~ under the supervision of the Mayor. ~~He or she~~ The Director shall organize the work of the department in such manner as ~~he or she shall deemed~~ most economical and efficient. The Director of Public Works shall be the Tree Warden, and shall have all the powers and duties thereof as provided in the General Statutes, as amended.

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Sec. 5.10 Police Department.

The Police Department shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state, and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the department shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the General Statutes, and all powers and duties imposed by law on constables except as otherwise provided by department rules and regulations.

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Sec. 5.11 Chief of Police.

~~(a)~~ (a) Except as provided in ~~Chapter IV, Section 3~~ ~~Section 4.3-~~ of this Charter, the Mayor shall appoint and may remove subject to the provisions of the General Statutes, as amended, a Chief of Police who shall appoint and may remove, subject to such rules and regulations, as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, all other officers and employees of the Police Department including a Dog Warden whose powers and duties shall be as provided in the General Statutes, as amended. The Chief shall exercise ~~his or her~~ the powers, and discharge ~~his or her~~ the ~~—~~ duties ~~of the department~~ under the supervision of the Mayor.

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~~(b)~~ (b) The Chief of Police shall assign all members of the department to their respective posts, shifts,

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details, and duties. ~~He or she~~The Chief shall make rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. ~~He or she~~The Chief shall be responsible for the efficiency, discipline and good conduct of the department and for the care and custody of all property used by the department. Disobedience to the lawful orders, rules and regulations of the Chief shall be grounds for dismissal or for other appropriate disciplinary action.

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Sec. 5.12 Fire Department.

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The Fire Department shall be responsible for the protection of life and property within the town from fire and for the enforcement of all laws, ordinances and regulations relating to fire prevention and fire safety.

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Sec. 5.13 Fire Chief.

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~~(a)~~ (a) Except as provided in ~~Chapter IV, Section~~Section 4.3-3 of this Charter, the Mayor shall appoint and may ~~remove~~ subject to the General Statutes, as amended, a Fire Chief who shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, all other officers and employees of the Fire Department as may be necessary. The Chief shall exercise ~~his or her~~the powers, and discharge ~~his or her~~the duties of the department under the supervision of the Mayor.

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~~(b)~~ (b) The Fire Chief shall assign all members of the department to their respective posts, shifts, details and duties. The Chief shall make rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. The Chief shall be responsible for the efficiency, discipline and good conduct of the department and for the care and custody of all property used by the department. Disobedience to the lawful orders, rules and regulations of the Chief shall be grounds for dismissal or for other appropriate disciplinary action.

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~~(c)~~ (c) The Mayor shall appoint and may remove subject to the rules and regulations adopted pursuant to the merit system provision of this Chapter VII of this Charter, the Fire Marshal in accord with this Charter. The Fire Chief shall assign the Fire Marshal ~~his or her~~their respective posts, shifts, details and duties of such office. The Fire Department shall have responsibility for the fire inspections and shall cooperate with the Zoning Enforcement Officer and the Department of Health and Social Services in the enforcement of the housing and fire codes.

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Sec. 5.14 Department of Development.

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The Mayor shall appoint and may remove the Director of Development. The Director of Development shall coordinate insofar as possible the planning and zoning activities, the renewal activities, and the capital planning activities of the town with the view of conserving desirable existing values and achieving economically, socially, and aesthetically desirable development in the town. It shall be a special duty to be aware of development opportunities arising from federal and state programs and to propose programs for the use of these opportunities in East Hartford. It shall be a further task to assemble and convey to representatives of business, industry, and land development interests' information for their East Hartford development decisions. The Director shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, such assistants and employees as may be necessary. ~~He or she~~The Director shall exercise ~~his~~the powers and discharge ~~his or her~~the duties of the department under ~~the supervision of the Mayor.~~the

~~supervision of the Mayor.~~

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Sec. 5.15 Planning and Zoning Commission.

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Upon the adoption of an appropriate ordinance, there shall be a combined Planning and Zoning Commission and the present separate commissions for these purposes shall be terminated.

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Sec. 5.16 Department of Health and Social Services.

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The Department of Health and Social Services shall be responsible for the administration of the public health and social service programs of the town. The Director of Health shall be the Director of Health and Social Services. The Mayor shall appoint and may remove the Director of Health in accordance with state law. The Director of Health and Social Services shall have all the powers and duties relating to the poor and defective and dependent persons vested by law in the selectmen of towns and shall also be director of public assistance. Further, the Director shall be responsible for the preservation and promotion of the public health and shall perform such functions and shall have such powers and duties as are imposed by law on directors of health and such other powers and duties as the Town eCouncil may prescribe. Subject to the General Statutes and in accordance with the merit system provided under Chapter VII of this charter, the Director may appoint and may remove assistants and employees.

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Sec. 5.17 Director of Libraries.

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~~(a) (a)~~ The Director of Libraries shall administer and coordinate the affairs of town libraries under the general supervision of the Mayor. ~~Upon the vacancy of the Director of Libraries by the person serving in such position on July 1, 2004, and whenever thereafter there is a vacancy in such position, T~~he Mayor shall appoint and may remove the Director. ~~He or she~~The Director of Libraries shall be responsible for the development of library resources and library services to the town. ~~He or she~~and shall appoint and may remove, in accord with this Charter, assistants, librarians and other employees in the town libraries.

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~~(b) (b)~~ The Town Council may, by ordinance, create or abolish ~~Commission on Culture and Fine Arts, which will act as a library board.~~a Library Board. The ~~Board~~Commission shall have the powers as established by ordinance and as set forth herein.

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~~(c) (c)~~ The ~~Commission library board~~ shall from time to time confer with the Director of Libraries with respect to: the use of the town's public library facilities; the Director of Libraries' annual proposed budget for library services; the selection and acquisition of materials; the development, implementation and alteration of programs; and capital planning. The ~~Commission Library Board~~ shall confer with the Director of Libraries with respect to the acquisition and selection of library materials and composition of collections.

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~~(d) (d)~~ The ~~Commission Library Board~~ and Director of Libraries shall collaborate on the proposed annual budget prior to submitting to the Mayor and shall have input to the evaluation of the facility, its services and the director position and shall prepare an annual report on the state of the libraries.

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Sec. 5.18 Department of Parks and Recreation.

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The Department of Parks and Recreation shall have custody over and develop and maintain the parks, playgrounds, and other recreation facilities of the town and shall develop and provide the recreation programs and services deemed needed in the town, and shall have such other powers and duties as the Town Council may prescribe.

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Sec. 5.19 Director of Parks and Recreation.

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The Mayor shall appoint and may remove a Director of Parks and Recreation who shall be responsible for the efficiency, discipline and good conduct of the department and who, in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions contained in Chapter VII of this Charter, shall appoint and may remove such deputies, assistants, and employees as may be deemed necessary and shall prescribe their duties. ~~He or she~~The Director shall exercise ~~his~~the powers and discharge ~~his or her~~the duties under the supervision of the Mayor. The Director shall organize the work of the department in such manner as ~~he or she shall~~deemed most economical and efficient.

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Sec. 5.20 Department of Inspections and Permits.

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The Department of Inspections and Permits shall have responsibility for the enforcement of all state and local laws, codes, regulations, and ordinances governing land use, the construction, alteration, or repair of, or the making of additions to, buildings or other structures, and for the enforcement of the subdivision regulations, making the necessary inspections and, upon compliance, issuing the appropriate permits. The head of the department, or a duly appointed designee, shall be the Zoning Enforcement Officer. The department shall have responsibility for the sidewalk inspections performed by the town. The department shall cooperate with the Planning and Zoning Commission and the Director of Development and shall have responsibility for proposing improvements in the codes and ordinances it enforces and in the methods of enforcement. The department shall have such other responsibilities as the Town Council may prescribe.

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Sec. 5.21 Director of Inspections and Permits.

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The Mayor shall appoint and may remove the Director of Inspections and Permits. The Director of the department shall be responsible for the efficiency, discipline, and good conduct of the department and shall exercise ~~his or her~~the powers and discharge ~~his or her~~the duties of the department under the supervision of the Mayor. The Director shall appoint and may remove in accord with this Charter such deputies, assistants and employees as may be deemed necessary and shall prescribe their duties. The Director may call on law enforcement officers, prosecutors and the Corporation Counsel for assistance in enforcement of the laws and regulations under his or her charge.

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Sec. 5.22 Department of Youth Services.

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(a) The Department of Youth Services shall be responsible for informing, educating and counseling the youth of East Hartford with regard to social issues. The Department shall also coordinate all activities of the various Town Departments involving youth activities and problems and train department personnel in handling youth problems.

~~(a) (b) Director of Youth Services.~~ The Mayor shall appoint and may remove the Director of Youth Services. The Director of Youth Services shall administer the office and coordinate youth services under the supervision of the Mayor. The Director shall appoint and may remove, in accord with this Charter, employees of the Department.

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Sec. 5.23 Department of Information Technology

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~~(a) The Department of Information Technology shall be responsible for providing infrastructure, governance and functional support in all areas of information technology strategies and initiatives, for the Town of East Hartford.~~

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~~(b) The Mayor shall appoint and may remove the Director of Information Technology who shall be the town's Chief Information Officer. The Director of Information Technology shall administer the office and coordinate information technology under the supervision of the Mayor. The Director shall appoint and may remove, in accord with this Charter, assistants and employees of the Department.~~

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Sec. 5.243 Board of Zoning Appeals.

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There shall be a Zoning Board of Appeals with the members and alternates appointed by the Mayor, with the consent of Town Council, in accord with the General Statutes and ordinances of the town. It shall have the powers, duties and responsibilities prescribed by the statutes and ordinances.

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Sec. 5.254 Official Bonds.

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The Mayor, Town Clerk, Director of Finance, and agent of the town deposit fund, Tax Collector, Director of Public Works, Director of Inspections and Permits, and such other officers and employees as may be required to do so by the Town Council shall, before entering on their respective official duties, execute to the town, in the form prescribed by the Town Council and approved by the Corporation Counsel, and file with the Town Clerk, a surety company bond in a penal sum to be fixed by the Town Council, conditioned upon honesty and ~~for~~ the faithful performance of such official duties. Nothing herein shall be construed to prevent the Town Council, if it deems it to be in the best interests of the town, from prescribing a name schedule bond, schedule position bond or blanket bond, or from prescribing which departments, offices, agencies, boards or commissions shall be covered by a specific type of the aforementioned bonds. Premiums for such bonds shall be paid by the town.

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Sec. 5.265 Salaries Compensation.

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~~Salaries Compensation~~ of all directors and other officers and all employees in the classified service of the town shall be determined by the Town Council, in conformity, with a systematic pay plan for the position involved, upon recommendation of the Mayor, provided nothing herein shall be construed to limit the power of the Board of Education to fix the compensation of employees of the school system. ~~As used in this section, compensation includes salaries, health and retirement benefits, vacation, other leave and other benefits provided to directors, officers and employees.~~

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Sec. 5.276 Political Activity.

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No person holding a full time appointed position in the non-classified service of the town shall be required to make any contribution to the campaign funds of any political party or candidate for public office nor shall ~~he or she~~ such person be required to take any part in the management, affairs or campaign of any political party.

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Chapter VI. Finance and Taxation

Sec. 6.1 General Form of Budget Presentation.

The town shall continue to operate on the Uniform Fiscal Year. The Mayor shall require each department, office or agency of the town supported wholly or in part by, town funds, or for which a specific town appropriation is made, including the Board of Education, to set forth, in narrative or such other form as the Mayor may prescribe, a program or programs showing services, activities and work accomplished during the current year and to be accomplished during the ensuing year.

Sec. 6.2 Departmental Estimates.

The Mayor shall compile preliminary estimates for the annual budget. The head of each department, office or agency of the town as described in section 6.1 of this Chapter, including the Board of Education, shall, no later than January 5th of each year, file with the Mayor on forms prescribed and provided by ~~him or her~~the Mayor a detailed estimate of the expenditures to be made by the department, office or agency and the revenue other than tax revenues, to be collected thereby in the ensuing fiscal year and such other information as may be required by the Town Council or the Mayor.

Sec. 6.3 Duties of the Mayor on the Budget.

Not later than February 23rd of each year the Mayor shall present to the Town Council the next fiscal year's budget consisting of:

(a) A budget message outlining the financial policy of the town government and describing in connection therewith the important features of the budget proposal indicating any major changes from the current year in financial policies, expenditures and revenues together with the reasons for such changes, and containing a clear general summary of its contents;

(b) Estimates of revenue, presenting in parallel columns the itemized receipts collected in the last completed fiscal year, the receipts collected during the current fiscal year prior to the time of preparing the estimates, total receipts estimated to be collected during the current fiscal year, estimates of the receipts, other than from the property tax, to be collected in the ensuing fiscal year, and an estimate of available surplus;

(c) Itemized estimates of expenditures, presenting in parallel columns the actual expenditures for each department, office, agency or activity of the last completed fiscal year and for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, and the Mayor's recommendations of the amounts, to be appropriated for the ensuing fiscal year for all items, and such other information as may be required by the Town Council. The Mayor shall present reasons for the recommendations. The Board of Education shall have the same duties and follow the same form and procedure with respect to the budget of the Board of Education as required by the Mayor in Section 6.2 of this ~~Chapter Charter~~ for other departmental estimates. Estimates of the costs of capital programs shall be submitted by each department, office or agency annually in the form and manner prescribed by the Mayor. The Mayor shall recommend to the Town Council those capital projects to be undertaken during the ensuing fiscal year and the method financing the same. Those financed from certified unappropriated surplus and

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current revenue shall be unlimited in amount.

Sec. 6.4 Duties of the Town Council on the Budget.

(a) The Town Council shall hold one or more public hearings not later than March 11th at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. Following receipt of the estimates from the Mayor and the Board of Education, the Town Council shall cause sufficient copies of said estimates to be made available for general distribution in the office of the Town Clerk and, at least five days prior to the aforementioned public hearing, the Town Council shall cause to be published in a newspaper having circulation in the town a notice of such public hearing and a summary of said proposed budget estimates showing anticipated revenues by major sources, and proposed expenditures by functions or departments in the same columnar form as prescribed for budget estimates in ~~section~~ Section 6.3 of this Chapter ~~Charter~~, and shall also show the amount to be raised by taxation.

(b) Subject to the provisions of ~~Section 10, Chapter III~~ Section 3.10 of this Charter, within ten days after holding the final such public hearing the Town Council shall adopt a budget and file the same with the Town Clerk. At the time when the Town Council shall finally adopt the budget, it shall also fix the tax rate in mills which shall be levied on the taxable property in the town for the ensuing fiscal year.

(c) Should the Town Council fail to adopt a budget within the specified ten days, the budget as presented by the Mayor in accordance with the provisions of Section 3 of this Chapter shall be deemed to have been finally adopted by said Town Council. The tax rate shall forthwith be fixed by the Mayor and thereafter expenditures shall be made in accordance with the budget so adopted. For the purposes of the General Statutes, as amended, the Town Council shall be deemed to be the budget making authority and the legislative body of the town and shall have all the powers and duties contained in said General Statutes for the creation of a "Reserve Fund for Capital and Nonrecurring Expenditures."

(d) Within five days following the adoption of the budget by the Town Council, the Mayor may veto or reduce any item or items in the budget, whereupon the ~~approved and/or disapproval or~~ reduced portion of the budget shall become effective unless the Town Council, by an affirmative vote of no less than six members, shall override the vetoed or reduced portion of the budget within five days after the Mayor's veto. In the event of an override, the budget shall be effective as adopted by the Town Council. If the override fails, then the budget as presented by the Mayor in accordance with Section 6.3 of this Charter shall be the adopted budget for the next fiscal year.

(e) Notwithstanding any other provision of this Charter, the Town Council may, subsequent to the adoption of the budget but prior to the beginning of the next fiscal year, amend the tax rate downward if additional revenues are committed to the town's budget for the next fiscal year. Such amended budget shall not be subject to budget referendum.

Sec. 6.5 Budget Referendum

(a) A referendum on the annual town budget shall be called by the Town Council if the Town Clerk certifies that a petition requesting such referendum is: (1) on a form as prescribed by the Town Clerk that is in accordance with State law and as required in subsection (c) of this section; (2) filed with the Town Clerk within fifteen days of the final approval of the town budget; and (3) signed by qualified electors in a number of not less than fifteen percent of the total number of

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electors in the town determined by the registrars of voters to be eligible to vote in the state or municipal election immediately preceding the vote on the annual town budget. The Town Clerk shall issue such certification or a determination that the petition does not comply with the provisions of this section within five days of the submission of such petition to the Town Clerk. If the Town Clerk issues such certification, the Town Council shall hold a meeting within four days of the issuance of the certification and call for a referendum on the annual town budget to be held not less than twenty days nor more than twenty-seven days from the date of such Town Council meeting.

(b) If the majority of the votes at the referendum are in the affirmative and the total number of votes cast at the referendum are equal to at least twenty percent of the total number of electors in the town determined by the registrars of voters to be eligible to vote in the state or municipal election immediately preceding the vote on the annual town budget, the Town Council shall adopt a new budget in accordance with the results of such referendum and such budget shall be the annual town budget for the next fiscal year. No further referendum shall be permitted after the adoption of a new budget by the Town Council. If the referendum fails, the budget adopted pursuant to Section 6.4 of this Charter shall become the budget for the next fiscal year.

(c) The petition for referendum on the annual town budget shall be of the following form and shall be approved by the Town Clerk in accordance with state law prior to circulation:

WARNING: ALL SIGNATURES SHALL BE IN INK

We, the undersigned electors of the Town of East Hartford, hereby present this petition requesting that the following question be referred to the voters at a referendum: "Shall the town council adopt a new annual town budget that is (insert the word "less" or "more") than the annual town budget adopted in accordance with Section 6.4 of the Town Charter on (date)." We certify that we are electors of the Town of East Hartford, residing at the addresses set opposite our names and that we have not signed this petition more than once.

SIGNATURE PRINTED NAME STREET ADDRESS

(d) Each petition page shall be signed by the circulator of such page and such circulator shall attest and state under penalties of false statement that each person whose name appears on the petition page has signed the same in the circulator's presence and is known to the circulator or has been satisfactorily identified ~~himself or herself~~ to the circulator.

Sec. 6.6 Emergency Appropriations.

For the purpose of meeting a public emergency threatening the lives, health or property of citizens, emergency appropriations may be made upon the recommendation of the Mayor and by a vote of not less than two-thirds of the entire membership of the Town Council, provided a public hearing, at which any elector or taxpayer of the town shall have an opportunity to be heard, shall be held prior to making such appropriation, notice of which hearing shall be given in a newspaper having circulation in the town not more than ten nor less than five days prior to such hearing. Such hearing and notice of hearing may be waived if the Town Council, by at least two-thirds of its entire membership, shall decide that a delay in making the emergency appropriation would

jeopardize the lives, health or property of its citizens. In the absence of an available unappropriated and unencumbered general fund cash balance to meet such appropriation, additional means of financing shall be provided in such manner, consistent with the provisions of the General Statutes and of this Charter, as may be determined by the Town Council.

Sec. 6.7 Tax Bills.

It shall be the duty of the Tax Collector to mail to each taxpayer, at least seven days before the date when taxes are due and payable, a tax bill prepared and signed by the Director of Finance as rate maker from rate bills signed by the ~~Chairman~~ Chairperson of the Town Council in accord with the General Statutes.

Sec. 6.8 Assessment and Collection of Taxes.

Except as specifically provided in this Charter, the assessment of property for taxation and the collection of taxes shall be carried on as provided in the General Statutes of the state.

Sec. 6.9 Expenditures and Accounting.

(a) No purchase shall be made by any department, board, commission, or officer of the town other than the Board of Education, the libraries, and the Probate Court, except through the Purchasing Agent, provided that petty cash funds may be established and maintained by the Director of Finance with the approval of the Mayor, from which funds purchases or contractual service payments in modest amounts may be made, with records kept of the amount, purpose, and payee of each item as a basis for restoration of the funds. The Director of Finance shall record the amount of authorized purchases and contracts for future purchases as encumbrances against the appropriation from which they are to be paid.

(b) No voucher, claim or charge against the town shall be paid until the same has been audited by the Director of Finance or ~~his or her~~ the Director's agent and approved ~~by him or her for the~~ correctness and validity. Checks shall be drawn by the Director of Finance for the payment of approved claims which shall be valid only when countersigned by the Treasurer. In the absence or inability to act of either the Director of Finance or Treasurer with respect to the above duty, the Mayor shall be authorized to substitute temporarily for either but not both of them.

(c) The Director of Finance shall prescribe the time at which, and the manner in which, persons receiving money on account of the town shall pay the same to the Town Treasurer.

(d) The several departments, commissions, officers and boards of the town shall not involve the town in any obligation to spend money for any purpose in excess of the amount appropriated therefore until the matter has been approved by the Town Council and each order drawn upon the Treasurer shall state the department, commission, board or officer and the appropriation against which it is to be charged. When any department, commission, board or officer shall desire to secure a transfer of funds in its or his or her appropriation from funds set apart for one specific purpose to another, before incurring any expenditure therefore, such department, commission, board or officer, with the approval of the Director of Finance, shall make application to the Mayor whose duty it shall be to examine ~~into~~ the matter, and upon approval of the Mayor such transfer may be made and shall be reported to the Town Council.

(e) Upon the request of the Mayor, but only within the last three months of the fiscal year, the Town Council may by resolution transfer any unencumbered appropriation, balance or portion thereof from one department, commission, board or office to another. No transfer shall be made from any appropriations for debt service and other statutory charges.

(f) Additional appropriations over and above the total budget may be made from time to time by resolution of the Town Council, upon recommendation of the Mayor and certification from the Director of Finance that there is available an unappropriated and unencumbered general fund cash balance to meet such appropriations.

(g) Appropriations for construction or for other permanent improvement, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided any such project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrance of the appropriation therefore. Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the budget year shall lapse.

(h) Every payment made in violation of the provisions of this Charter shall be deemed illegal and every official authorizing or making such payment or taking part therein and every person receiving such payment of any thereof shall be jointly and severally liable to the town for the full amount so paid or received. If any officer or employee of the town shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of this Charter or take any part therein, such action shall be cause for removal.

Sec. 6.10 Borrowing.

The town shall have the power to incur indebtedness by issuing its bonds or notes as provided by General Statutes subject to the limitations thereof and the provisions of this section. The issuance of bonds and notes shall be authorized by resolution of the Town Council adopted in the same manner as provided in this Charter for the adoption of ordinances and shall include a referendum.

Chapter VII. Merit System

Sec. 7.1 Merit System Established.

All officers and employees in the classified service of the town as described in Section ~~2-7.2 of this Charter~~~~below~~ shall be appointed or promoted on the basis of merit and in conformity with recognized principles of public personnel administration. The merit system shall be administered under the supervision of the Mayor by the Director of Human Resources. Until personnel policies have been adopted under this Chapter the ordinances presently in effect shall be operative.

Sec. 7.2 The Classified Service.

(a) The classified service shall include all appointees to all positions now or hereafter created except the following: Elective officers and persons appointed to fill vacancies in elective offices; members of the boards and commissions; officers appointed by the ~~The~~ Council; employees of the Board of Education; ~~the Chief Administrative Officer; the Director of Information Technology~~; the Director of Finance; the Director of Human Resources; the Director of Development; the Corporation Counsel and any part time assistant; the Town Clerk; the Director of Inspections and Permits; the Director of Public Works; the Director of Parks and Recreation; the Director of Youth Services; the Director of Libraries; the Director of Health and Social Services; and an assistant and a personal secretary to the Mayor; persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation; the Judge and any personnel of the Probate Court; and persons employed for a temporary period not exceeding three months.

(b) It shall be the duty of the Mayor to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointment to such positions. These statements shall comprise the classification plan of the town, which shall become effective upon approval by resolution of the ~~Town~~ Council and which may be amended, upon recommendation of the Mayor, by resolution of the ~~Town~~ Council. New or additional positions in the classified service may be created and changes in the duties and responsibilities of existing positions may be made, by resolution of the ~~Town~~ Council upon the recommendation of the Mayor.

~~(e) A pay plan for all positions in the classified service shall be similarly prepared, adopted and amended.~~

~~(c) Compensation for all positions in the classified service shall be determined in accordance with the provisions of section 5.26 of the Town Charter~~

~~(d) (d) No later than July 1, 1968 the Mayor shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, and probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the town. Such rules and any amendments thereto shall become effective upon being filed by the Mayor with the Town Clerk and the Town Council Clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.~~

~~(e) Any member of the classified service may be removed only for the good of the service and any officer desiring to remove, or otherwise discipline, an employee shall notify the employee in writing of the reasons for the proposed removal or other disciplinary action. The employee charged may request a hearing before the Director of Human Resources, who shall within ten days grant such hearing. The Director of Human Resources Personnel Appeals Board, which shall~~

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~~within ten days grant such hearing. The Personnel Appeals Board shall make a public finding as to whether or not the charges are true and as to whether they constitute grounds for removal. The final action in the matter, subject to any statutory rights of the employee, shall be made by the officer having powers of appointment and removal.~~

~~the charges are true and as to whether they constitute grounds for removal. The final action in the matter, subject to any statutory rights of the employee, shall be made by the officer having powers of appointment and removal.~~

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Sec. 7.3 Political Activity.

No person holding a position in the classified service of the town shall be required to make any contribution to the campaign funds of any political party or candidate for public office or take any part in the management, affairs, or campaign of any political party further than in the exercise of his or her rights as a citizen, to register as a member of a political party, to express any opinion and to vote. Violation by any such person of the provisions of this section shall be grounds for removal.

Sec. 7.4 Personnel Appeals Board.

~~(a) There shall be a Personnel Appeals Board, the number of members and terms of which shall be determined by ordinance. The Mayor shall appoint one-third of the members and the selection of the remainder shall be determined by ordinance.~~

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~~(b) When an employee brings a matter to the Board, the Board shall have the power to require officers and employees of the town to appear and give testimony and present evidence and may hear testimony from other sources.~~

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~~(c) The Board shall seek to assure that the employment system of the town is fair and equitable and serves the interests of the town while respecting the proper claims of the employees. The Board shall make findings and recommendations in individual cases brought before it and may make recommendations to the council or to the mayor for improvements in the employment system.~~

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Chapter VIII. Initiative and Referendum

Sec. 8.1 Initiative, Power and Scope.

The electors shall have the power to propose to the Town Council any ordinance or other measure, in accordance with this Chapter, except an ordinance or resolution appointing or removing officials, specifying the compensation or hours, of work of officials or employees.

Sec. 8.2 Initiative, Petition Procedure.

If the Town Council fails to adopt such ordinance or measure within sixty days after a petition making such a proposal has been filed with the Town Clerk, the electors may adopt or reject the same at the next regular election, provided such petition shall be substantially in the form prescribed in ~~Section 7 of this Chapter~~Section 8.7 of this Charter, and shall be in ink or indelible pencil, signed by not less than fifteen per cent of the electors as determined by the last completed registry list. The Town Clerk shall determine the sufficiency of the petition and, if said petition is found to be sufficient, shall certify it to the Town eCouncil within ten business days after receipt of the petition. No signature on such petition shall be valid unless it has been obtained within ninety days of the filing of the petition. There should be publication after the Town Council decides to submit for determination by the voters, not more than thirty days and not less than fifteen days before the date set for said referendum.

Sec. 8.3 Referendum, Power and Scope.

The Town Council may, at its discretion, and by a majority vote, submit to the voters' local questions for their approval at a regular or special election. Prior to the taking of such action by the Town Council, the Town Council shall hold a public hearing on the matter or matters proposed and the date, time, place and subject of the public hearing shall be specified in a formal resolution of the Town Council. This section shall apply to bonding questions. There should be publication after the Town Council decides to submit for determination by the voters, not more than thirty days and not less than fifteen days before the date set for said referendum.

The electors shall have the power to approve or reject at a referendum as herein provided any ordinance or other measure passed by the Town Council except the following:

- (a) An ordinance or resolution appointing or removing officials, or specifying the compensation or hours of work of officials or employees;
- (b) An ordinance authorizing the issuance of bonds or notes which ordinance shall be subject to referendum only in accordance with ~~Chapter VI, Section 9~~Section 6.10 of this Charter;
- (c) The town budget or substitute town budget;
- (d) The resolution establishing the tax rate, which resolution shall not be subject to referendum.

Sec. 8.4 -Referendum, Petition Procedures, Suspension of Ordinance

Within thirty days after the enactment by the Town Council of any ordinance or other measure which is

subject to referendum, a petition substantially in the form prescribed in ~~Section 7 of this Chapter~~Section 8.6 of this Charter, and signed in ink or indelible pencil by not less than fifteen - per-cent of the electors as determined by the last compiled registry list may be filed with the Town Clerk requesting that any such ordinance or other measure be either repealed or submitted to a vote of the electors. The Town Clerk shall determine the sufficiency of the petition and, if said petition is found to be sufficient, shall so certify to the Town Council with ten business days after receipt of the petition. If the Town Council fails to repeal such ordinance or other measure, the question shall be submitted to a referendum of the electors of the town conducted in accordance with the relevant General Statutes, at the next regular election following the date on which the Town Council takes its action. Upon the filing of a sufficient petition, the ordinance or measure shall remain without effect until the electors vote on the question as above provided.

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Sec. 8.5 Initiative, Referendum Vote Required.

Any question placed before the voters under the procedures specified by this Chapter shall fail, unless approved by a majority of the electors voting thereon. If a vote to repeal fails, the ordinance or measure as passed by the Town Council shall become effective immediately.

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Sec. 8.6 Initiative and Referendum.

The form of petition for initiative or referendum shall be as follows:

WARNING: ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL.

We, the undersigned electors of the Town of East Hartford, hereby present this petition (here insert the word "initiating" or the words "requesting the repeal of") the following ordinance (measure) (Here insert the text of the ordinance or measure) and we certify that we are electors of the Town of East Hartford residing at the addresses set opposite our names and that we have not signed this petition more than once.

Name Address

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Sec. 8.7 Form of Question.

The form of question for any ordinance or measure placed on the voting machines in accordance with the initiative and referendum provisions of this Chapter shall be as follows: Are you in favor of the ordinance (measure) or proposed ordinance (proposed measure) relating to (here insert brief description of the ordinance or measure and its intent)?

Sec. 8.8

The provisions of this section do not apply to charter adoption, revision or amendment which is prescribed by the Home Rule Act.

Chapter IX. Transition and Miscellaneous Provisions

Sec. 9.1 Transfer of Powers.

(a) The powers which are conferred and the duties which are imposed upon any commission, board, department or office under the General Statutes or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board, department or office is abolished by this Charter, shall be thereafter exercised and discharged by the commission, board, department or office upon which are imposed corresponding or like functions, powers, and duties under the provisions of this Charter.

(b) All commissions, boards, departments or offices abolished by this Charter, whether elective or appointive shall continue in the performance of their duties until provision shall have been made for the discontinuance of such commissions, boards, departments or offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter and until the town shall have notified the members of such commissions, boards, departments or offices as are abolished by this Charter that their successors have been qualified.

(c) All appointive powers now or hereafter conferred by the General Statutes upon Boards of Selectmen shall be exercised by the Town Council unless otherwise specifically provided in this Charter. The powers of the Board of Selectmen in the Town of East Hartford, shall hereafter be limited to those set forth in the Constitution of the State of Connecticut, as amended.

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Sec 9.2 Present Employees to Retain Positions.

All persons holding permanent positions in the service of the town on the effective date of this Charter (April 2, 1968), whose positions are included in the classified service by the terms of this Charter, shall immediately become members of the classified service and retain such positions until promoted, transferred, reduced in rank, or removed in accordance with the provisions of this Charter. All other employees of the town on the effective date of this Charter (April 2, 1968), whose positions are not abolished by the provisions of this Charter, shall retain such positions pending action by the Town Council or the appropriate officer charged by this Charter with powers of appointment and removal. Any provisions of law in force at the time this Charter shall take effect, and not inconsistent with the provisions of this Charter, in relation to personnel, appointment, ranks, grades, tenure or office, promotions, removal, pension and retirement rights, civil rights or any other rights and privileges of employees of the town, or any office, department or agency thereof shall continue in effect, until or unless amended or repealed in accordance with the provisions of this Charter.

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Sec. 9.3 Conflict of Interests.

The Town Council shall adopt a conflict of interest ordinance regarding activities of any elected or appointed official or any employee of the town within the classified service as outlined in Chapter VII of this Charter with appurtenant penalties for the violation thereof.

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Sec. 9.4 Transfer of Records and Property.

All records, property and equipment whatsoever of any commission, board, department or office or part thereof, all the powers and duties of which are assigned to any other commission, board, department or office by this Charter, shall be transferred and delivered intact to the commission, board, department or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board, department or office or part thereof are by this Charter assigned to another commission, board, department or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact to the commission, board, department or office to which such powers and duties are so assigned.

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Sec. 9.5 Legal Proceedings.

No action or proceeding, civil or criminal, pending on the effective date of this Charter (April 2, 1968) brought by or against the town or any commission, board, department or office thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any commission, board, department or office party thereto may, by or under this charter, be assigned or transferred to another commission, board, department or office, but in that event the same may be prosecuted or defended by the head of the commission, board, department or office to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Sec. 9.6 Existing Laws and Ordinances.

(a) All general laws of the State of Connecticut applicable to the town and all ordinances of the town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter.

(b) Upon the adoption of this Charter all provisions of special acts relating to East Hartford and now in effect which are in conflict with this Charter shall cease to apply and all provisions of such acts not in conflict with this Charter shall continue in effect.

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Sec. 9.7 Amendment of Charter.

This Charter may be amended in the manner prescribed by law.

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Sec. 9.8 Saving Clause.

If any section or part of any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which said section or part thereof so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

From: O'Sullivan, Paul <posullivan@easthartfordct.gov>
Sent: Thursday, June 9, 2022 9:00 AM
To: Martin, Connor <CMartin@easthartfordct.gov>
Subject: FW: Historic District Commission Meeting CANCELLED

Connor:

Below is the email I received from Gary LeBeau concerning the Historic District Commission. Since he has moved out of Town, he can no longer serve.

Let me know if you want to discuss.

Paul

Paul M. O'Sullivan
Grants Manager
Town of East Hartford

From: Gary LeBeau <garylebeau@yahoo.com>
Sent: Thursday, May 5, 2022 11:20 AM
To: O'Sullivan, Paul <posullivan@easthartfordct.gov>
Subject: Re: Historic District Commission Meeting CANCELLED

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Paul,
Thank you for the communication. However I have resigned from the historic District commission because I have moved to South Glastonbury.

I sent a copy to the mayor the town council chairman, and the town clerk.

Someone should have notified you. In lieu of that, I am notifying you.

Gary LeBeau,

Sent from my iPhone

On May 5, 2022, at 9:45 AM, O'Sullivan, Paul <posullivan@easthartfordct.gov> wrote:

Dear Commission Members:

The Historic District Commission meeting scheduled for Tuesday, May 10, 2022 has been cancelled due to lack of business. The next scheduled meeting will be held on Tuesday, June 14th at 7:00 p.m. in

TOWN COUNCIL CHAMBERS
CHARTER REVISION COMMISSION
SPECIAL MEETING

June 13, 2022

PRESENT Chair Don Bell, Deb Arrieta, Richard Bates, Shelby Brown, Tom Rup, Travis Simpson, Eric Thompson, Angel Santiago and Marcia Leclerc

ABSENT

CALL TO ORDER

The Special Meeting was called to order at 7:26 pm by Commission Chair Don Bell to take action on the proposed changes provided by the Town Council to the East Hartford Charter as contained in a document entitled Town Council Recommendations dated May 16, 2022 and vote to submit the submit Charter Revision Commission's final report, including proposed Charter amendments as required by Connecticut General Statutes Section 7-191(c).

Approval of May 31, 2022 Minutes

MOTION By Marcia Leclerc
seconded by Tom Rup
to **approve** the May 31, 2022 Charter Revision Commission Workshop Minutes.

Motion carried 9/0.

Review of Town Council Recommendations to CRC Draft Report

Chair Bell provided the Commission with the opportunity to speak in response to the recommendations provided by the Town Council during the combined meeting between the Council and Commissioners. The Commission and Council agreed in principle to modify the Charter by incorporating "Town Council" as a term throughout the document for clarity, however the process of taking action on executing the change according to statute remains in question.

The Commission reviewed CT Gen Stat § 7-191, focused on subsection (c). The Chair then read section 7-191(c) in its entirety which reads as follows:

(c) "If the appointing authority makes no recommendations for changes in the draft report to the commission within such fifteen days, the report of the commission shall be final and the appointing authority shall act on such report. If the appointing authority makes recommendations for changes in the draft report to the commission, the commission shall confer with the appointing authority concerning any such recommendations and may amend any provisions of the proposed charter, charter amendments or home rule ordinance amendments, in accordance with such

recommendations, or the commission may reject such recommendations. In either case the commission shall make its final report to the appointing authority not later than thirty days after receiving such recommendations.”

The Chair stated that the Commission has the ability to amend the Charter, but they must be in accordance with the Council recommendations in whole or to reject the recommendations in whole. The Chair feels that this recommendation should not be rejected in whole based on the technical change in question.

The Commission debated the merits of the grammatical changes of proposing changes as provided by Town Council and while the consensus at the previous joint meeting appeared to be in agreement that the technical change was supported, because no formal motion was made during that joint meeting by the Council, the Commission was unsure if the proposed change could be made effective at this point in the revision process.

The Commission reviewed § 7-191(d) which states:

d) “Not later than fifteen days after receiving the final report, the appointing authority, by a majority vote of its entire membership, shall either approve the proposed charter, charter amendments or home rule ordinance amendments or reject the same or separate provisions thereof.”

The Chair proposed that the Commission first adopt the changes proposed by the Town Council, then propose a second motion that addresses the references to “Town Council”, and then vote to submit the final report.

MOTION By Marcia Leclerc
 seconded by Tom Rup
 to **approve** the proposed changes to the East Hartford Charter as
 contained in a document entitled Town Council Recommendations dated
 May 16, 2022.

Motion carried 9/0.

MOTION By Rich Bates
 seconded by Deb Arrieta

to **amend** the Charter Revision’s report to provide that all references to
the Town Council throughout the Charter be written as the “Town
Council”, and to strike from section 3.1 “hereinafter referred to as the
Council.”

Motion carried 9/0.

MOTION By Marcia Leclerc
 seconded by Deb Arrieta

that pursuant to Connecticut General Statutes Section 7-191(c) the
Charter Revision Commission submit its final report, including proposed
Charter amendments, to the East Hartford Town Council.

Motion carried 9/0.

The Chair expressed his gratitude again to the Commission for their thoroughness and patience in the effort to assure that the Charter is the best document it can be in service of the residents of East Hartford.

ADJOURNMENT

MOTION By Eric Thompson
 seconded by Rich Bates
 to **adjourn** (8:22 p.m.)

Motion carried 9/0.