

EAST HARTFORD TOWN COUNCIL

TOWN COUNCIL CHAMBERS

AUGUST 19, 2014

PRESENT Chair Richard F. Kehoe, Vice Chair William P. Horan, Jr., Minority Leader Esther B. Clarke, Councillors Linda A. Russo, Ram Aberasturia, Patricia Harmon and Anita D. Morrison

ABSENT Majority Leader Barbara-Ann Rossi and Councillor Marc I. Weinberg

CALL TO ORDER

Chair Kehoe called the meeting to order at 7:34 p.m. The Chair announced the exit locations in accordance with Connecticut General Statutes §29-381, after which the Council joined him in the pledge of allegiance.

RECOGNITIONS AND AWARDS

East Hartford Police Department's K-9 Division

Mayor Leclerc introduced Scott Sansom, Chief of Police, who recognized the heroics of the East Hartford Police Department's K-9 team, which is under the command of Lieutenant Timothy Jeurgens. Chief Sansom stated the EHPD's K-9 team has a bright future. Sergeant Michael DeMaine announced the following recent accomplishments of the K-9 team:

K9 Ofc. Zavalick/K9 Axel	2013 K9 Olympics top team tactical obedience award 2014 K9 Olympics 2 nd place overall
K9 Ofc. Grossi/K9 Hades	2013 K9 Olympics top team criminal apprehension award 2013 Daniel Wasson Memorial** award 2 nd runner up
K9 Ofc. Mona/K9 Primo	2010 K9 Olympics 2nd place overall 2012 K9 Olympics top team obedience award 2012 Daniel Wasson** Memorial award 1 st runner up 2013 K9 Olympics 1 st place winner overall

**Daniel Wasson Awards candidates are for the entire state of Connecticut Police K9 teams.

Officer Zavalick, senior dog handler, spoke on behalf of the K-9 team and thanked the Town Council for this recognition. He also thanked his family for their involvement in the day-to-day living situations that support the K-9 unit.

Youth Services Program: Charter Oak Club – “One Act of Kindness”

Cephus Nolen, Youth Services Director, and Logan Gauvin, Recreation Supervisor from

the Parks and Recreation Department, recognized the following individuals for their “One Act of Kindness” while assisting at the scene of an accident and providing immediate first aid to the victims: Shariff Lewis, John Boissette, Laura Sobolewski, Jake Skyrzpiec, Brittany Kingsbury, and Arlene Drake.

The Council thanked the individuals for their unselfish response to a difficult situation.

Beautification Commission: July 2014 Awards

Chair Kehoe and Mayor Leclerc announced the recipient of the award for outstanding residential landscape is the Giadone Family, 23 Andover Road. Mr. Giuseppe Giadone, who is 88 years of age and personally works on all of the landscaping, thanked the Council for this recognition.

The Business recipient for July is Farmington Bank of East Hartford, 957 Main Street.

The Council thanked both parties for making East Hartford a prettier place to live.

OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Susan Kniep, 44-46 and 50 Olde Roberts Street, (1) spoke to the increase in property taxes; (2) suggested that the cost of the road bond to the taxpayers will increase the mill rate; (3) believes that the impact of the tax increase of the bond referendum has a greater effect on homeowners; (4) asked that the Council not act on the bond referendum this year; and (5) announced that there will be a PURA meeting on August 27th to hear comments on a proposed 59% increase to a portion of a CL&P bill.

Mayor Leclerc (1) announced that the town of East Hartford won the gold medal in the Dragon Boat race; (2) the Mayor will work with the Fees Committee Chair on the referral that's on tonight's agenda; (3) the Social Services department distributed 180 backpacks donated by Goodwin College; (4) the 2014 camp season is over and was a great success; (5) the first day of school is Wednesday, August 27th and asked all to be aware for school children; and (6) announced that Rich Gentile, Assistant Corporation Counsel, has been appointed Harbor Master by Governor Malloy.

Chief Scott Sansom reported that the implementation of the recently approved ordinance limiting panhandling has greatly reduced the individuals who are involved in that activity.

APPROVAL OF MINUTES

August 5, 2014 Public Hearing/Road Bond

MOTION By Bill Horan
 seconded by Ram Aberasturia
 to **approve** the minutes of the August 5, 2014 Public Hearing/Road Bond.
 Motion carried 7/0.

August 5, 2014 Regular Meeting

MOTION By Bill Horan
seconded by Pat Harmon
to **approve** the minutes of the August 5, 2014 Regular Meeting.
Motion carried 7/0.

August 6, 2014 Special Joint Meeting/Board of Education

MOTION By Bill Horan
seconded by Anita Morrison
to **approve** the minutes of the August 6, 2014 Special Joint Meeting.
Motion carried 7/0.

NEW BUSINESS

Road Improvement Bond Referendum

MOTION By Ram Aberasturia
seconded by Linda Russo
to **waive** the reading of Sections 2 through 7.
Motion carried 7/0.

MOTION By Ram Aberasturia
seconded by Linda Russo
to **adopt** the following resolution:

RESOLUTION APPROPRIATING \$15,000,000 FOR THE PLANNING,
DESIGN, CONSTRUCTION AND RECONSTRUCTION OF TOWN ROADS
AND PARKING LOTS AND AUTHORIZING THE ISSUANCE OF
\$15,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION
AND PENDING THE ISSUANCE THEREOF THE MAKING OF
TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAST HARTFORD:

Section 1. The sum of \$15,000,000 is appropriated by the Town of East Hartford, Connecticut (the "Town") for the planning, design, construction and reconstruction of Town roads and parking lots, including rebuilding, resurfacing, drainage, conduits, and related subsurface and infrastructure improvements, and for administrative, legal and financing costs related thereto (the "Project").

Section 2. To meet said appropriation, \$15,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the tenth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Treasurer and the Director of Finance in the amount necessary to meet the Town's share of the cost of the Project, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denominations of \$1,000, or any whole multiple in excess thereof, be issued fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company and

be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest, shall be determined by the Mayor, the Treasurer and the Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes").

Section 3. Said bonds shall be sold by the Mayor, the Treasurer and the Director of Finance in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Mayor, the Treasurer and the Director of Finance.

Section 4. The Mayor, the Treasurer and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 6. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 7. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of any Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

Motion carried 7/0.

Placement on the Ballot

MOTION By Ram Aberasturia
 seconded by Linda Russo
 to **approve** the following:

RESOLVED: That the resolution entitled “Resolution Appropriating \$15,000,000 For The Planning, Design, Construction And Reconstruction Of Town Roads And Parking Lots And Authorizing The Issuance Of \$15,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, adopted by the Town Council on August 19, 2014 be submitted to the Town electors for approval or disapproval at a referendum in conjunction with the general election to be held on Tuesday, November 4, 2014, between the hours of 6:00 a.m. and 8:00 p.m. (E.S.T.), and that the warning of said referendum shall state the questions to be voted upon as follows:

1. “Shall the resolution entitled ‘Resolution Appropriating \$15,000,000 For The Planning, Design, Construction And Reconstruction Of Town Roads And Parking Lots And Authorizing The Issuance Of \$15,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose’, adopted by the Town Council on August 19, 2014, be approved?”

The ballot label for said question shall read as follows:

“Shall the \$15,000,000 appropriation and bond authorization for the planning, design, construction and reconstruction of Town roads and parking lots be approved?”

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolution is on file, open to public inspection in the office of the Town Clerk, that the vote on the aforesaid bond resolution is taken under the authority of Chapter VI, Section 6.9 of the Charter of the Town of East Hartford, and Chapter 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be available in accordance with law in the office of the Town Clerk.

Motion carried 7/0.

Explanatory Text Publication and Payment Thereof for Bond Referendum

MOTION By Ram Aberasturia
 seconded by Linda Russo
 that the Town Clerk prepare for publication the explanatory text regarding the bond referendum and that those costs be paid for by the Town Clerk.
 Motion carried 7/0.

US Department of Justice: Equitable Sharing Agreement/East Hartford Police Department

MOTION By Bill Horan
 seconded by Linda Russo
 to **adopt** the following resolution:

WHEREAS; the U.S. Department of Justice (DOJ) requires an agreement and annual certification report regarding monies received by the Town from asset forfeitures (such as drug investigations) where properties are seized and then distributed to the agencies responsible for the arrest, and

WHEREAS this agreement spells out the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies,

NOW THEREFORE LET IT BE RESOLVED; that Marcia A. Leclerc, Mayor of the Town of East Hartford, is authorized to make application to, and execute and approve on behalf of this corporation, any and all documents, contracts, and amendments as may be required by the DOJ as they pertain to this FY 2013-14 Justice Equitable Sharing Agreement and Annual Certification.

On call of the vote, motion carried 7/0.

Referral to Fees Committee

MOTION By Ram Aberasturia
 seconded by Anita Morrison
 to **refer** to the Fees Committee the (1) leases for ERASE, YMCA Day Care and Friends of Center Cemetery, all at McCartin School; (2) St. Isaac Jogues Church Parking area lease; and (3) review of the fees charged by various town departments as outlined and attached to a memo dated August 12, 2014 from Mayor Marcia A. Leclerc to Town Council Chair Rich Kehoe, with instructions to review the leases and the proposed fee schedules and report back to the Town Council with its recommendations, if any.
 Motion carried 7/0.

Referral to Ordinance Committee re: Town and Board of Education Budget Format

MOTION By Bill Horan
 seconded by Linda Russo
 to **refer** to the Ordinance Committee the issue of the creation of a budget format to be followed by the town Administration and the Board of Education, and to report back to the Town Council with its recommendations, if any.
 Motion carried 7/0.

Outdoor Family Movie Night Fundraiser

MOTION By Ram Aberasturia
 seconded by Linda Russo
 to **approve** the outdoor amusement permit application, entitled

“Outdoor Family Movie Night Fundraiser” submitted by Monica Carr, Event Coordinator, to conduct an outdoor movie night with music, food, vendors, information tables and raffles as a fundraiser for The C.H.A.I.N Fund, on Saturday, August 30th from 3PM to 10PM at the open field behind 1807-1811 Main Street, with a rain date of Sunday, August 31st during 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; and to **waive** the associated permitting fee of \$10 due to the town of East Hartford as this is a fundraising event.
Motion carried 7/0.

Recommendation from the Real Estate Acquisition & Disposition Committee re: 26 Bissell Street

MOTION By Linda Russo
 seconded by Anita Morrison
 that, having met the conditions pursuant to §7-163(e) and §8-24 of the Connecticut General Statutes and the provisions of §10-19 of the Town of East Hartford Code of Ordinances, the Town Council **approve** the sale of 26 Bissell Street subject to the following conditions:

1. The purchase price for the property shall be \$50,000.
2. The purchase price shall be paid as follows: a payment of \$5,000 on the closing date. An additional payment of \$5,000 plus interest shall be paid by TAB COMPUTER SYSTEMS, INC., to the Town on each anniversary date of the closing, up to and including the 9th anniversary. To secure the repayment, the purchaser shall sign a promissory note in the Town's favor, with interest accruing at 4% per annum, and shall execute a mortgage in the Town's favor. The note may be paid off, at any time, without penalty.

Motion carried 7/0.

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

Pat Harmon inquired if the Vice President was coming to East Hartford. *Mayor Leclerc confirmed that he was coming to East Hartford but could not disclose where in East Hartford the Vice President would be.*

Esther Clarke asked if the Mayor was getting a town car for her daily use and what line item in the budget was being utilized to provide that vehicle. *Mayor Leclerc answered that her vehicle was part of the fleet purchased for use by the EHPD/FD and that Mike Walsh would supply the financial details.*

Bill Horan commented that he was aware that the Mayor took the ALS Challenge (Ice Bucket) and urged all Councillors to participate.

COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

Costa Associates LLC v Town of East Hartford – tax appeal

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **accept** the Corporation Counsel's recommendation to settle the pending
 real property tax appeal known as Costa Associates LLC v Town of
 East Hartford Docket No. CV-13-6019933S, involving 1008-1010 Main Street,
 from the fair market value of \$784,850 to the fair market value of \$761,300,
 commencing as of the 2012 Grand List, which shall generate a reduction of
 \$723.69 in property taxes.
 Motion carried 6/0. **Abstain:** Horan

OPPORTUNITY FOR RESIDENTS TO SPEAK

None

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Bill Horan
 to **adjourn** (9:10 p.m.).
 Motion carried 7/0.

The Chair announced that the next meeting of the Town Council would be September 2nd.

Attest _____
Angela M. Attenello
TOWN COUNCIL CLERK