

EAST HARTFORD TOWN COUNCIL

TOWN COUNCIL CHAMBERS

AUGUST 18, 2015

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

ABSENT Vice Chair William P. Horan, Jr.

CALL TO ORDER

Chair Kehoe called the meeting to order at 8:15 p.m. The Chair announced the exit locations in accordance with Connecticut General Statutes §29-381, after which the Council joined him in the pledge of allegiance.

OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Susan Kniep, 44-46 and 50 Olde Roberts Street, (1) asked that the Council clarify the bond referendum for the Senior Center regarding whether it is for a new building or a rehabilitation of the existing building; (2) suggested the Friends of Senior Centers financials be posted to the town's website; and (3) expressed her concerns regarding the CT City Town Development Act (CTDA).

Don Sugalski, 1736 Main Street, is against the town's adoption of CTDA and believes it is too expansive.

Richard MacNaughton, 152 Arbutus Street, is against the town's adoption of the CTDA and requested the town fix an outstanding issue on Arbutus Street. Mayor Leclerc will follow up.

Craig Stevenson, 52 Milwood Drive, is fully in favor of the town's adoption of the CTDA and would like to see its application throughout the town – not just a specific area of East Hartford.

Mayor Leclerc (1) thanked Bob Falkevitz and Ashley Stewart for their service on the Patriotic Commission and the Inland/Wetlands Commission, respectively; (2) supports the bond referenda and thanked the Council for adding them to the agenda; and (3) summarized the history of the Friends of East Hartford Senior Centers.

APPROVAL OF MINUTES

August 4, 2015 Public Hearing/Proposed Bonds

MOTION By Barbara Rossi
seconded by Marc Weinberg
to **approve** the minutes of the August 4, 2015 Public Hearing/Proposed

Bonds.
Motion carried 8/0.

August 4, 2015 Regular Meeting

MOTION By Barbara Rossi
 seconded by Ram Aberasturia
 to **approve** the minutes of the August 4, 2015 Regular Meeting.
 Motion carried 8/0.

August 10, 2015 Special Meeting/CTDA

MOTION By Barbara Rossi
 seconded by Marc Weinberg
 to **approve** the minutes of the August 10, 2015 Special Meeting/CTDA.
 Motion carried 8/0.

COMMUNICATIONS AND PETITIONS

Resignation of Robert Falkevitz from the Patriotic Commission

Chair Kehoe announced the resignation of Robert Falkevitz from the Patriotic Commission and thanked him for his service to the town.

Resignation of Ashley Stewart from Inland Wetlands Commission

Chair Kehoe announced the resignation of Ashley Stewart from the Inland/Wetlands Commission and thanked her for her service to the town.

NEW BUSINESS

Bond Referenda:

Senior Center/Multipurpose Facility:

MOTION By Barbara Rossi
 seconded by Anita Morrison
 to **waive** the reading of Sections 2 through 7.
 Motion carried 8/0.

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

RESOLUTION APPROPRIATING \$5,000,000 FOR THE
PLANNING, DESIGN, ACQUISITION, CONSTRUCTION AND/OR
RENOVATION OF A SENIOR CENTER/MULTIPURPOSE

FACILITY AND AUTHORIZING THE ISSUANCE OF \$5,000,000
BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND
PENDING THE ISSUANCE THEREOF THE MAKING OF
TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1. The sum of \$5,000,000 is appropriated by the Town of East Hartford, Connecticut (the "Town") for the planning, design, acquisition, construction and/or renovation of a Senior Center/Multipurpose Facility, and for administrative, legal and financing costs related thereto (the "Project").

Section 2. To meet said appropriation, \$5,000,000 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 8/0.

Placement on the Ballot

MOTION By Barbara Rossi
seconded by Anita Morrison
to **approve** the following:

RESOLVED: That the resolution entitled "Resolution Appropriating \$5,000,000 For The Planning, Design, Acquisition, Construction And/Or Renovation Of A Senior Center/Multipurpose Facility And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Town Council on August 18, 2015, 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 3, 2015, 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 \$5,000,000 For The Planning, Design, Acquisition, Construction And/Or Renovation Of A Senior Center/Multipurpose Facility And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Town Council on August 18, 2015, be approved?"

The ballot label for said question shall read as follows:

"Shall the \$5,000,000 appropriation and bond authorization for the planning, design, acquisition, construction and/or renovation of a Senior Center/Multipurpose facility be approved?

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolutions is on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid bond resolutions 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 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Barbara Rossi
 seconded by Ram Aberasturia
 that the Town Clerk prepare for publication the explanatory text regarding
 the bond referenda and that those costs be paid for by the Town Clerk.
 Motion carried 8/0.

Various Public Improvements and Equipment:

MOTION By Barbara Rossi
 seconded by Esther Clarke
 to **waive** the reading of Sections 2 through 8.
 Motion carried 8/0.

MOTION By Barbara Rossi
 seconded by Anita Morrison
 to **adopt** the following resolution:

RESOLUTION APPROPRIATING \$4,625,000 FOR THE PLANNING,
DESIGN, ACQUISITION AND CONSTRUCTION OF VARIOUS PUBLIC
IMPROVEMENTS AND EQUIPMENT AND AUTHORIZING THE
ISSUANCE OF \$4,625,000 BONDS OF THE TOWN TO MEET SAID
APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE
MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1. The sum of \$4,625,000 is appropriated by the Town of East Hartford, Connecticut (the "Town") for the planning, design, acquisition and construction of various public improvements and equipment set forth below, and for administrative, legal and financing costs related thereto (the "Projects").

Public Works:

Automated Waste Removal Truck	\$285,000
Dump Truck – 10 Wheel	240,000
Dump Truck – 6 Wheel	220,000

Fire:

Fire Ladder Truck	1,000,000
Rescue Squad Vehicle	750,000
Fire Engine	605,000

Police:

Dispatch Consoles	575,000
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Board of Education:

Middle School Window Wall	500,000
Langford School Roof	<u>450,000</u>

\$4,625,000

Section 2. To meet said appropriation, \$4,625,000 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 Projects, 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 Projects. 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 balance of any appropriation or the proceeds of any bonds not needed to meet the cost of any Project may be transferred by resolution of the Town Council to any other Project.

Section 6. 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 Projects 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 Projects, 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 7. 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 8. 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 of the Projects, 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 8/0.

Placement on the Ballot

MOTION By Barbara Rossi
seconded by Anita Morrison
to **approve** the following:

RESOLVED: That the resolution entitled "Resolution Appropriating \$4,625,000 For The Planning, Design, Acquisition And Construction Of Various Public Improvements And Equipment And Authorizing The Issuance Of \$4,625,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Town Council on August 18, 2015, 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 3, 2015, 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 \$4,625,000 For The Planning, Design, Acquisition And Construction Of Various Public Improvements And Equipment And Authorizing The Issuance Of \$4,625,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Town Council on August 18, 2015, be approved?"

The ballot label for said question shall read as follows:

“Shall the \$4,625,000 appropriation and bond authorization for the planning, design, acquisition and construction of various public improvements and equipment be approved?”

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolutions is on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid bond resolutions 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 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Barbara Rossi
 seconded by Anita Morrison
 that the Town Clerk prepare for publication the explanatory text regarding
 the bond referenda and that those costs be paid for by the Town Clerk.
 Motion carried 8/0.

Connecticut City and Town Development Act:

MOTION By Barbara Rossi
 seconded by Ram Aberasturia
 to **adopt** a resolution on which we had a Public Hearing earlier this
 evening on August 18, 2015 and amended the title as follows:

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAST
HARTFORD, CONNECTICUT ADOPTING THE CONNECTICUT CITY
AND TOWN DEVELOPMENT ACT FOR THE PURPOSES OF SILVER
LANE AND SOUTH MEADOWS ECONOMIC DEVELOPMENT**

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT HEREBY

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

- (1) it is unreasonable that any number of residents of the Town are subject to hardship in finding employment and adequate, safe and sanitary housing;
- (2) any conditions of blight and deterioration that exist in the Town must be addressed;
- (3) private enterprise is not meeting such need for housing, employment, and the reduction of blight and deterioration;
- (4) the need for employment and adequate, safe and sanitary housing will be lessened and the Town will be revitalized by the exercise of the powers granted under the Act;
- (5) adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property;

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

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

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

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

RESOLVED: That the Town Council hereby adopts this Resolution and the Act subject to the following conditions: (1) that the powers of such Act shall be restricted to the sections of Town defined generally as (A) the Silver Lane Corridor – bounded on the east by Forbes Street, on the north by Interstate 84, on the south by a line drawn parallel to Silver Lane from the southerly extension of any parcel with access to Silver Lane and to the west by Mercer Avenue and the high occupancy vehicle exit from Interstate 84 to Silver Lane, provided that the Corridor shall include those portions of the property known as Rentschler Field which are not utilized by United Technologies Corporation or its divisions, subsidiaries or affiliated entities for industrial, manufacturing, engineering, office or other associated or accessory uses, and (B) the South Meadows – bounded by Interstate 84 to the north, Route 2 to the east, the Hockanum River to the south and the Connecticut River to the west ; and (2) any tax abatement or incentive on a parcel within such sections of the Town granted pursuant to the Act shall result in the Town receiving, in any year that such abatement or incentive is applied, at least the value of the taxes assessed on such property during the tax year immediately preceding the first year of applicability of such abatement or incentive.

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

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

Motion carried 8/0.

Placement on the Ballot

MOTION By Barbara Rossi
 seconded by Ram Aberasturia
 to **approve** the following:

RESOLVED: That the resolution entitled "Resolution Of The Town Council Of The Town Of East Hartford, Connecticut Adopting The Connecticut City And Town Development Act For the Purposes of Silver Lane And South Meadows Economic Development ", adopted by the Town Council on August 18, 2015, 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 3, 2015, 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 Of The Town Council Of The Town Of East Hartford, Connecticut Adopting The Connecticut City And Town Development Act For the Purposes of Silver Lane And South Meadows Economic Development', adopted by the Town Council on August 18, 2015, be approved?"

The ballot label for said question shall read as follows:

"Shall the resolution of the Town Council adopting the Connecticut City and Town Development Act For the Purposes of Silver Lane and South Meadows economic development 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 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 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Barbara Rossi
 seconded by Esther Clarke
 that the Town Clerk prepare for publication the explanatory text regarding
 the bond referenda and that those costs be paid for by the Town Clerk.
 Motion carried 8/0.

Recommendation from Ordinance Committee re: Section 21-6e "Formal Hearing Procedure – Parking Violations Hearing Officers"

MOTION By Barbara Rossi
seconded by Esther Clarke
to **amend** the East Harford Code of Ordinances by revising
Section 21-6e entitled "Formal Hearing Procedure – Parking Violations
Hearing Officers" consistent with the draft dated July 29, 2015 (see below)
and as unanimously approved at the Ordinance Committee meeting held
July 28, 2015.
Motion carried 8/0.

DRAFT

(07-29-15)

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

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

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

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

(c) Administrative Appeal Procedure:

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

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

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

(1) Issuance of a parking citation violation;

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

(3) Issuance of a notice pursuant to subsection (e) of section 21-6a.

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

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

- (2) The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.
- (3) The provisions of this section shall be construed in accordance with the provisions of applicable state statutes and Town ordinances.
- (4) In considering an appeal, the hearing officer shall consider all relevant facts and circumstances and may require the personal appearance of the appellant and issuing officer.
- (5) Should the hearing officer find in favor of appellant, he shall so certify to the Town, and the record of the citation shall be removed from the files of the Town.
- (6) Should the hearing officer find the issuance of the citation proper, he shall so certify to the Town and no further appeal under this section shall be considered.
- (7) Notice of the finding in the formal appeal shall be given to the appellant in writing after a decision has been rendered at the formal appeal hearing.

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

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

Outdoor Amusement Permit Applications:

East Hartford Community Outreach Day

MOTION

By Linda Russo

seconded by Barbara Rossi

to **waive** the 30-day filing requirement under the provisions of §5-2(a) of the East Hartford Code of Ordinances; and **approve** the outdoor amusement permit entitled "East Hartford Community Outreach Day", submitted by Cathy & Leslie Flippen to conduct an event with free music and entertainment for town residents on Saturday, August 29, 2015 from 10AM to 3PM at the Town Green Gazebo, 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 permit fee due the town of East Hartford under the provisions of section 5-6(a) of the East Hartford Code of Ordinances as this is a not-for-profit student initiated event.

Motion carried 8/0.

Secret Stash Beer Bash

MOTION by Ram Aberasturia
seconded by Barbara Rossi
to **approve** the outdoor amusement permit application entitled
“Secret Stash Beer Bash” submitted by Rebecca Johansen,
Advancement Assistant for Goodwin College Inc. to conduct a Beer
Festival with food trucks, live music and DJ to benefit scholarships
for its students, on Saturday, August 29, 2015 from 5PM to 8PM on
the Goodwin College Green at One Riverside Drive, 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 permit fee under the provisions of Town Ordinance
§5-6(a) as this is a fundraiser to benefit scholarships for students.
Motion carried 8/0.

Concert of Praise

MOTION

By Linda Russo
seconded by Anita Morrison
to **approve** the outdoor amusement permit application entitled,
“Concert of Praise”, submitted by Madeline Nieves, Secretary for
The Pentecostals of Greater Hartford, to conduct a free outdoor
music event for town residents to be held on the East Hartford
Town Green Gazebo on Sunday, September 27, 2015 from 10AM
to 3PM, with music during the same hours and food vendors,
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 \$10.00 permitting fee under the
provisions of Town Ordinance 5-6 (c) as the applicant is a church.
Motion carried 8/0.

Out of the Darkness Walk

MOTION By Ram Aberasturia
seconded by Linda Russo
to **approve** the outdoor amusement permit application entitled “Out of the Darkness Walk” submitted by John Joseph Kissane, Walk Chairperson for the American Foundation for Suicide Prevention, to conduct a charity walk on Saturday, October 17, 2015 from 8AM to 2PM at Great River Park with refreshments, food and music to be provided by a DJ and band from 9:30AM to 12:30PM, 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 permit fee under the provisions of Town Ordinance §5-6(a) as this is a not-for-profit organization.
Motion carried 8/0.

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

Pat Harmon inquired on when the Circle of Life lease will be acted upon since it was referred to the Fees Committee in May. *The Mayor stated that she is in discussions with the Barall's and Ted Fravel, Park and Recreation Director, to make some changes to the lease parameters and should be completed shortly.*

Pat Harmon reminded all that the first day of school is August 26th and to be aware of additional traffic and school buses on the road.

Esther Clarke asked when the Forbes Street road repairs will be completed. *Mayor Leclerc stated the contractor was told that the repairs needed to be completed prior to the first day of school.*

Anita Morrison (1) asked if the graffiti in the Park Avenue area has been cleaned up. *The Mayor will follow through with this matter.* (2) inquired on who to contact when traffic lights are not working properly. *Mayor Leclerc suggested texting or calling her or informing the Police Department if it's on the weekend.* (3) asked when the Raymond Library will have its grand opening. *The Mayor said she doesn't have an exact date but it should be by mid-September.*

OPPORTUNITY FOR RESIDENTS TO SPEAK

Susan Kniep again reiterated her disapproval of the Council's adoption of the CTDA resolution.

Barbara Rossi reminded all of the 60th anniversary of the flood of 1955.

Marc Weinberg wished Susan Kniep a Happy Birthday.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Pat Harmon
 to **adjourn** (10:15 p.m.).
 Motion carried 8/0.

The Chair announced that the next meeting of the Town Council would be September 1st.

Attest _____
Angela M. Attenello
TOWN COUNCIL CLERK