

Robert J. Beck

TOWN COUNCIL AGENDA
TOWN COUNCIL CHAMBERS
740 MAIN STREET
EAST HARTFORD, CONNECTICUT

2011 SEP 19 A 11: 28
TOWN CLERK
EAST HARTFORD

SEPTEMBER 20, 2011

~~7:00 P.M. Executive Session~~

REVISED 09-19-11

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

Pledge of Allegiance

7:30 p.m.

1. CALL TO ORDER
2. AMENDMENTS TO AGENDA
3. RECOGNITIONS AND AWARDS
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. September 6, 2011 Regular Meeting
6. COMMUNICATIONS AND PETITIONS
7. OLD BUSINESS
8. NEW BUSINESS
 - A. Federal Emergency Management Agency/State of Connecticut Department of Emergency Management and Homeland Security: Hazard Mitigation Grant Program
 - B. Appointment of David Repoli from Alternate to Member on the Zoning Board of Appeals
 - C. Refund of Taxes
 - D. Referral to Ordinance Committee re: §10-7 Bidding Procedures "Request for Quote" on State and Federal Projects
 - E. Referral to Tax Policy Committee re: "Improving East Hartford" Program
9. OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION
10. COUNCIL ACTION ON EXECUTIVE SESSION MATTERS
 - ~~A. Joseph Albuquerque vs. Town of East Hartford Workers' Compensation Claim~~
11. OPPORTUNITY FOR RESIDENTS TO SPEAK
 - A. Other Elected Officials
 - B. Other Residents
 - C. Mayor
12. ADJOURNMENT (next meeting: October 4, 2011)

Patricia Conobabo

EAST HARTFORD TOWN COUNCIL

2011 SEP 12 A 9:22

TOWN COUNCIL CHAMBERS

TOWN CLERK
EAST HARTFORD

SEPTEMBER 6, 2011

PRESENT Chair Richard F. Kehoe, Vice Chair William P. Horan, Jr., Majority Leader Barbara-Ann Rossi, Minority Leader Eric A. Thompson, Councillors Marc I. Weinberg, Linda A. Russo, Ram Aberasturia, Susan P. Skowronek and Patricia Harmon

CALL TO ORDER

Chair Kehoe called the meeting to order at 7:35 p.m. He 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

Remembrance of the 10th Anniversary of September 11, 2001

Mayor Leclerc read the following proclamation into the minutes:

WHEREAS, the Town of East Hartford is joining the National Moment of Remembrance of the Tenth Anniversary of September 11th; and

WHEREAS, the Town expresses their support of the United State's government regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. eastern daylight time on September 11, 2011; and

WHEREAS, American Airlines Flight 11 was hijacked and crashed into the North Tower of the World Trade Center, United Airlines Flight 175 into the South Tower, American Airlines Flight 77 crashed at the Department of Defense headquarters and United Airlines Flight 93 crashed in Pennsylvania; and

WHEREAS, thousands of innocent victims lost their lives and tens of thousands narrowly escaped harm as witnesses to this horrific tragedy; and

WHEREAS, ten years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten our nation.

NOW, THEREFORE, I, Marcia A. Leclerc, Mayor of the Town of East Hartford, join with members of the East Hartford Town Council, the President of the United States, members of the Senate and Congress, along with all citizens of our great country to recognize a

*MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF
SEPTEMBER 11TH*

and stop to honor the heroic efforts of civilians, first responders, fire and police personnel, state and local officials and countless volunteers who aided the victims of those attacks and in doing so, bravely risked and often gave their own lives.

Chair Kehoe reminded the public that the moment of silence is on Sunday, September 11th at 1PM and urged all to remember those whose lives were tragically lost.

Ringside World Tournament Champion: Mykquan Williams

Mayor Leclerc read the following proclamation into the minutes:

Be it hereby known to all that East Hartford Mayor Marcia A. Leclerc and members of the Town Council hereby offer their congratulations to

*MYKQUAN WILLIAMS
RINGSIDE WORLD TOURNAMENT
CHAMPION*

On behalf of the citizenry of the Town of East Hartford, we hereby recognize the Ringside World Tournament title that Mykquan won in the thirteen-fourteen year old division, boxing three fourteen year olds during the event held on August 20, 2011 in Kansas City, Missouri.

The Mayor presented the proclamation to Mr. Williams who thanked the Council, his family and his coach, Paul Cichon – a Public Works employee – for his guidance and friendship.

Beautification Awards: August 2011

Pat Sirois, Chair of the Beautification Commission, presented the August awards to the following recipients: Residential – The Roppo Family, 151 Sandra Drive and The Marshall Family, 7 Farnham Drive. Business – Willow Arms, 446 Main Street and Ballard Motors, 450 Main Street.

Ms. Sirois thanked all for making East Hartford a prettier place to live.

OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Susan Kniep, 50 Olde Roberts Street, (1) again asked if the road work being done on Brewer Street is for a new section of that street; (2) asked that the Ordinance Committee meet to discuss the ethics ordinance; (3) supports the appointment of Hazelann Cook to the Board of Commissioners of the East Hartford Housing Authority; (4) believes that the Flood Protection Committee should be a committee of the Town Council; and (5) asked if the bid waiver for the Riverside Drive project will benefit Goodwin College.

Patricia Gately, 1422 Main Street, spoke in favor of the appointment of Hazelann Cook to the East Hartford Housing Authority Board of Commissioners.

Mayor Leclerc (1) thanked Christian Moore for his service on the Board of Ethics; (2) fully supports the long overdue Riverside Drive reconstruction project; and (3) believes Hazelann Cook will be a great asset to the East Hartford Housing Authority Board of Directors.

APPROVAL OF MINUTES

August 16, 2011 Public Hearing/Ordinance Revisions

MOTION By Barbara Rossi
 seconded by Pat Harmon
 to approve the minutes of the August 16, 2011 Public Hearing/Ordinance
 Revisions.
 Motion carried 9/0.

August 16, 2011 Regular Meeting

MOTION By Barbara Rossi
 seconded by Eric Thompson
 to approve the minutes of the August 16, 2011 Regular Meeting.
 Motion carried 9/0.

COMMUNICATIONS AND PETITIONS

Resignation form Board of Ethics: Christian Moore

Chair Kehoe announced the resignation of Christian Moore from the Board of Ethics. He thanked Mr. Moore for his dedication and service to the town.

Podunk Bluegrass Music Festival: 2011 Expense Report

Roger Moss, Director, Parks and Recreation Department, presented the Council with a breakdown of expenses borne by the Town of East Hartford. Mr. Moss indicated that, for the sixth consecutive year, the cost to the town has been reduced.

Hurricane Irene Update

Mayor Leclerc introduced John Oates, Fire Chief and Tim Bockus, Acting Public Works Director, who each gave a brief synopsis of their roles in preparing for this storm. Dan Dube, the town's Emergency Management Coordinator, (who was not present) was recognized for his role in mitigating the impact of this storm to the citizens of East Hartford. The overall financial burden of this storm to the town is approximately \$200,000. However, the Mayor expects that the Federal Emergency Management Agency (FEMA) should be reimbursing 75% of these costs to the town.

OLD BUSINESS

Recommendation from Ordinance Committee re: Flood Protection Committee – tabled at the August 16, 2011 meeting

MOTION By Bill Horan
 seconded by Eric Thompson

to amend the Town of East Hartford Code of Ordinances by adding a new subsection 113d to Section 2 entitled, "Flood Protection Committee" consistent with the draft of the proposed ordinance dated July 19, 2011 (see below) that was unanimously recommended by the Ordinance Committee.
Motion carried 9/0.

FLOOD PROTECTION COMMITTEE ORDINANCE

July 19, 2011 DRAFT

- (a) There is established a Flood Protection Committee, consisting of four members: the Mayor, Public Works Director, Finance Director, and Town Engineer. The Committee shall periodically assess the condition and operation of the Town's flood protection structures and facilities and make recommendations concerning potential repairs, inspections, maintenance and alterations. The Mayor, or designee, shall serve as the "Superintendent" of the Committee as such term is described in 33 C.F.R. 208.10(a)(2).
- (b) The Town of East Hartford, in coordination with the Flood Protection Committee, shall be responsible for the inspection, operation, maintenance and integrity of the Town's flood protection structures and facilities including such inspection, maintenance, alterations and other actions as may be required by the Army Corps of Engineers pursuant to 33 C.F.R. 208.10 and the Operation and Maintenance Manual adopted by the Town of East Hartford.

NEW BUSINESS

Bid Waiver: Riverside Drive Reconstruction

MOTION By Linda Russo
seconded by Susan Skowronek
to **waive** the bidding requirements of Town Ordinance Section 10-7(b) and **authorize** the Administration to utilize the procedures contained in "Consultant Selection, Negotiation, and Contract Monitoring Procedures for Municipally Administered Projects" as a process for hiring a consultant firm for design services related to the Riverside Drive Reconstruction project, such waiver being in the best interests of the town as it will expedite the construction project consistent with federal requirements.
Motion carried 9/0.

Contingency Transfer: Voter Primaries

MOTION By Ram Aberasturia
seconded by Barbara Rossi
to **transfer** funds in the amount of \$32,318.00 to cover the anticipated costs associated with the upcoming primary to be held on Tuesday, September 13, 2011 as follows:

From:

Acct # G9600-63492 Contingency Reserve	\$32,318
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To:

Acct # G1300-60135 Registrar of Voters/Election Officials	\$23,725
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Acct # G1300-62360 Registrar of Voters/Election Day Expenses \$5,293
Acct # G1300-63227 Registrar of Voters/Inspect Voting Machines \$1,500
Acct # G1300-65212 Registrar of Voters/Telephone \$1,800

Motion carried 9/0.

Fees Committee – Acting as a Committee of the Whole – Parks and Recreation
Department: Special Revenue Account

MOTION By Marc Weinberg
seconded by Linda Russo
that the Town Council, acting as a Committee of the Whole for the Fees Committee, approve the creation of a new account for the Special Revenue Program for the purposes of collecting money for vendors at the Farmer's Market to be held on Saturdays at the Town Green and sponsored by the Parks & Recreation Department during FY 2011-2012 as outlined in a memo to Mayor Marcia Leclerc from Parks & Recreation Department Director Roger Moss dated August 18, 2011.
Motion carried 9/0.

Appointment of Hazelann B. Cook to the East Hartford Housing Authority

MOTION By Linda Russo
seconded by Barbara Rossi
to appoint Hazelann B. Cook to the Board of Commissioners for the East Hartford Housing Authority, whose term shall expire July 2016.
Motion carried 9/0.

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

Ram Aberasturia (1) thanked the Mayor for including a language translator on the town's website; and (2) supports the 7-12 grade basketball program sponsored by the Parks and Recreation Department and noted that it was the same program that he had participated in when he was a teenager.

Eric Thompson (1) inquired if the Mayor had received an email from him regarding Wickham Library; and (2) believes that the town would be best served with a full-time Human Resources Director and asked if the Administration would consider making it a full-time position.

Susan Skowronek (1) stated that the Economic Development Commission, of which she is a member, supports the Riverside Drive Reconstruction project; and (2) would like an update from the Board of Ethics.

Pat Harmon inquired on who owns the property on the corner of Silver Lane and Forbes Street and noted that the area could use some clean up.

COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

None

OPPORTUNITY FOR RESIDENTS TO SPEAK

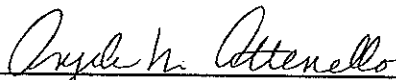
Susan Kniep, 50 Olde Roberts Street, (1) asked if the Town Council has appointed other administrative committees similar to the Flood Protection Committee; (2) stated that the members of the Flood Protection Committee should report to the Town Council; (3) inquired if the Flood Protection Committee is subject to the Freedom of Information Act; (4) spoke to the issue of PILOT funding as it relates to Goodwin College; (5) urged the town to revise the website to include employees' salaries, pensions and benefits; and (6) stated that she will present a resolution regarding reforms to collective bargaining laws to the Town Council for adoption at the next meeting.

ADJOURNMENT

MOTION By Eric Thompson
 seconded by Bill Horan
 to adjourn (9:22 p.m.).
 Motion carried 9/0.

The Chair announced that the next meeting of the Town Council would be on September 20, 2011.

Attest



Angela M. Attenello
TOWN COUNCIL CLERK



MEMORANDUM

DATE: September 9, 2011

TO: Marcia A. Leclerc, Mayor

FROM: Timothy Bockus, Acting Director of Public Works

RE: Federal Emergency Management Agency(FEMA)/State of Connecticut
Department of Emergency Management and Homeland Security
(DEMHS) Grant Application for Various Projects in East Hartford, CT

Please accept this memorandum as a request to place the above-mentioned matter on the Town Council agenda. This matter involves the preparation and submission of grant applications to potentially fund a portion of the design and construction of various projects. The grant funding is awarded to individual projects within a Connecticut Town on a competitive basis. The projects that are anticipated to be applied for include but are not limited to the rehabilitation of the McAuliffe Park culvert and the rehabilitation of the Gorman Park Dam.

I have attached to this memorandum a brief description of the projects, and a fact sheet for the grant program. Please contact me should you have any questions or require additional information.

cc: Denise Horan, Town Engineer
James Kulpa, Assistant Town Engineer

McAuliffe Park Culvert Rehabilitation:

This project consists of the replacement of an existing culvert that utilizes two – three (3) foot diameter metal pipes to allow Goodwin Brook to flow through an embankment created during the construction of the culvert. On top of the embankment there is a paved driveway that is used by pedestrians and provides an alternate means of access to the complex during emergencies.

An inspection of the culvert revealed that there is a large depression forming on the crest of the embankment and the upstream side of the culvert was almost completely blocked with debris. This depression is likely attributed to a failure of the metal piping due to corrosion. Evidence of severe corrosion was noted during the inspection where the bottom of one of the pipes or flow-line had been completely corroded away. This type of failure is common in metal pipes in that the bottom rots away and the flowing water erodes the surrounding soils creating a depression. If left in its present state, the debris on the upstream side of the culvert considerably reduces the ability of the culvert to convey water creating a dam. This coupled with a weakened embankment could lead to a catastrophic failure of the structure during high flow events.

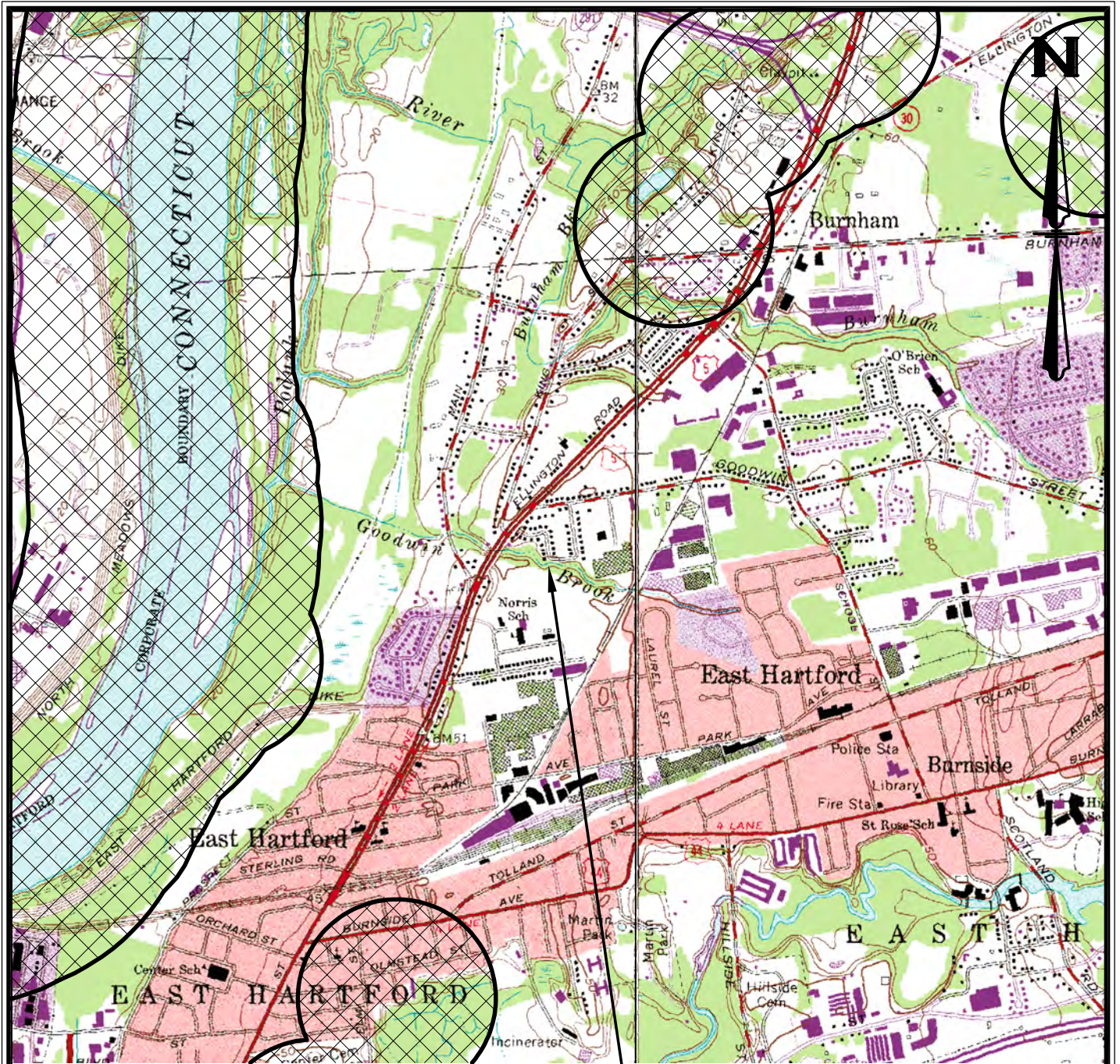
The proposed solution is to replace the culvert's piping in its entirety and rebuild the embankment. Additionally, erosion protection will be installed on the culvert embankment and within the channel upstream and downstream of the culvert.

Gorman Park Dam Rehabilitation:

This project includes the rehabilitation of the dam located at Gorman Park. Historically the dam and its outlet structure have been used to control the water level of the pond located within Gorman Park. The dam is also the only roadway crossing of Porter Brook providing access to the northern portion of the park property. The dam consists of an earthen embankment with a concrete outlet structure that discharges to twin metal pipes.

Over the course of the past two years a sink-hole has developed in the crest of the dam. The sinkhole appears to be caused by a loss of embankment soil through either a pipe joint failure or heavy corrosion of the bottom of a pipe. The outlet structure is clogged with various sorts of debris and its capacity to pass stormwater has been compromised. If left in its present state the dam will eventually breach and flood downstream properties.

The proposed solution is to replace the outlet structure and its associated piping. To do so, the pond's water level will be dropped and the dam's embankment will be excavated to replace the outlet structure and piping. The dam's embankment will be rebuilt and the roadway will be reconstructed on top of the dam.



PROJECT LOCATION
 N 41°47'16.49"
 E 72°37'43.23"

COORDINATE OBTAINED FROM GOOGLE MAPS



**PROJECT LOCATION MAP FOR
 CULVERT REPLACEMENT
 EAST HARTFORD, CONNECTICUT**

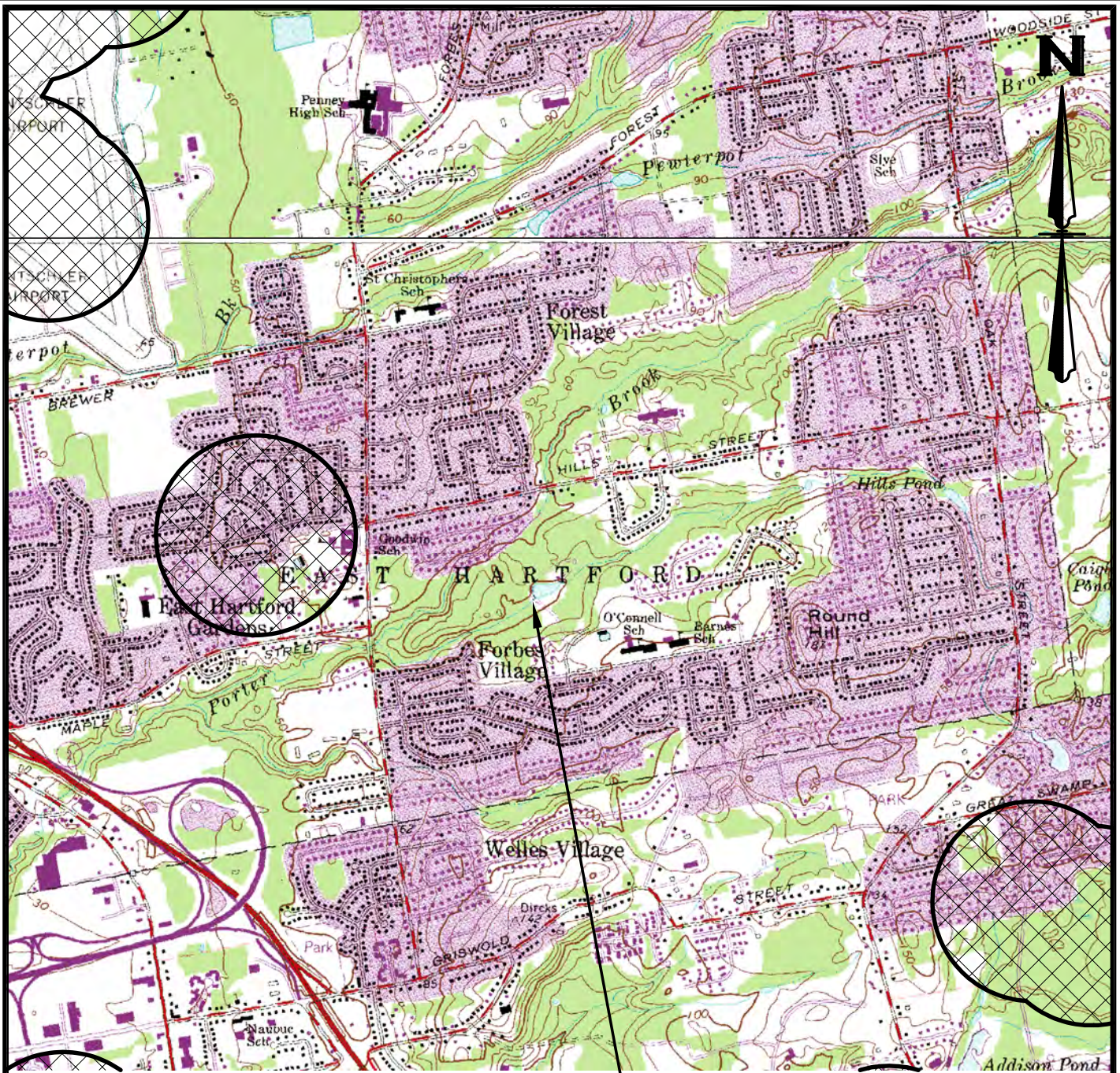
LOCATION:
**NEAR #82 TIFFANY ROAD
 EAST HARTFORD, CONNECTICUT**

DATE: **08/24/11**

SHEET:

SCALE: **1"=30'**

1 OF 1



PROJECT LOCATION
 N 41°44'14.03"
 E 72°35'50.10"

COORDINATE OBTAINED FROM GOOGLE MAPS



**PROJECT LOCATION MAP FOR
 DAM REHABILITATION
 EAST HARTFORD, CONNECTICUT**

LOCATION: NEAR #301 MAY ROAD EAST HARTFORD, CONNECTICUT	
DATE: 08/24/11	SHEET: 1 OF 1
SCALE: 1"=30'	

Drawing: H:\TOWN_HALL\PMENING\PMENING\ROAD\DEMS-GRANT\DWG\INDEX.DWG Layout Tab:03

Plotted by: JKUJPA On this date: Wed, 2011 August 24 - 4:13pm

HAZARD MITIGATION GRANT PROGRAM (HMGP)

Updated on April 28, 2011

SUMMARY

As a result of the Presidential Disaster Declaration (FEMA-1958-DR-CT) the state of Connecticut is eligible to receive funding under the Hazard Mitigation Grant Program (HMGP). The HMGP provides 75% Federal matching grants from the Federal Emergency Management Agency (FEMA) for the mitigation (reduction) of damages that result from natural disasters. The goal of Hazard Mitigation is to reduce the amount of Federal and State assistance necessary after a major disaster by mitigating the effects of the disaster. Hazard Mitigation measures traditionally include structural mitigation (e.g. acquisition or elevation of flood prone homes and businesses), small scale flood control projects and planning that leads to projects. The most frequent and costly disasters in Connecticut are caused by flooding however the most recent disaster was the result of a record snowstorm that occurred on January 11 – 12, 2011. Therefore municipalities are also encouraged to propose projects to reduce the effects of heavy snowstorms in addition to other more traditional hazard mitigation projects.



The amount of funding available from the HMGP after a disaster is equal to 15% of the Public Assistance Damages caused by any Presidentially Declared Disaster that occurs in Connecticut. HMGP funding is only available as a result of a Presidential Disaster Declaration and DEMHS is currently anticipating receiving 2 – 3 million dollars for the HMGP as a result of the record January snowstorm. Eligible applicants (state agencies, municipalities and tribal nations) are strongly encouraged to consider applying for HMGP funding to mitigate natural hazards. The deadline for submitting a letter of intent is June 15, 2011.

HMGP Quick Facts:

- Total Open HMGP Disaster Grants in Connecticut: 4
- Total HMGP Funding for Connecticut: ≈ \$ 5.2 Million
- Funding Passed Through to Towns Thus Far: ≈ \$ 2.3 Million
- Types of Eligible Projects in Connecticut Include:
 - ⇒ Home and Business Elevation Projects
 - ⇒ Home and Business Acquisition Projects
 - ⇒ Stormwater Projects (e.g. Culvert Replacement) that Reduce Flood Damage to Buildings
 - ⇒ Small Scale Flood Control Projects Such as Levees
 - ⇒ Snowload Building Design Code Upgrades
 - ⇒ Operations Plans for Snow Emergencies

HMGP FAQ's

- Due Date for Letter of Intent: June 15, 2011.
- Federal Funding Available: Approximately 2 – 3 Million
- Amount of Federal Funding: 75% of Project Cost
- Match Required: 25% (Cash / Some In-Kind Services)
- Source of In-Kind Services: Must be Non-Federal
- Management and Administration: 1.89% of Federal Grant
- Eligible Applicants: State, Municipal and Tribal Entities
- Duration of Grant: 3 years
- Administration of Grant by the Department of Emergency Management and Homeland Security in coordination with Municipalities and Building Owners.

Listed below the types of projects that are typically eligible for Hazard Mitigation Grant Program (HMGP) funding and a timeline for the application process. Also listed are project types that are not typically approved under the HMGP. Please feel free to share this information with any towns if you get any questions about the HMGP.

1. The amount of HMGP funding that will be available as a result of Disaster #1958 will be approximately 2.4 million dollars.
2. Letters of Intent (containing a brief description of the project and a rough cost estimate) are due by June 15th, 2011.
3. Application packages will be sent to all towns that submit a letter of intent.
4. Although this most recent disaster was the result of a record snowstorm on January 12th, 2011, all hazard types will be eligible in applications for HMGP funding including:
 - a. Enhancement of building regulations to strengthen codes for flat roofs.
 - b. Operational snow clearance planning for roads and buildings.
 - c. Mitigation of Flooding through the acquisition or elevation of homes, businesses and public buildings.
 - d. Minor flood control projects such as berms and levees that protect insurable buildings such as homes, businesses and public buildings.
 - e. Wind mitigation along the coast (e.g. storm shutters and hurricane clips).
 - f. Culvert and bridge reconstruction that results in the reduction or elimination of flooding to insurable buildings.
 - g. Limited warning systems that provide early warning of a natural hazard (e.g. Flood Warning Systems).
 - h. Limited public outreach as part of a project to mitigate the effects of winter storms (e.g. brochures on clearing snow from homes and businesses).
5. The following projects are not typically approved under the HMGP:
 - a. Roadway reconstruction.
 - b. Culvert upgrades that do not prevent or reduce flooding to insurable structures.
 - c. Mitigation or operations plans that do not lead to projects or new operational procedures.
 - d. Snow removal costs.
 - e. Snow removal equipment.

If any towns have questions about projects that do not appear on the above lists, please have them send me an email with their project proposal to douglas.glowacki@ct.gov

MARCIA A. LECLERC
MAYOR

TOWN OF EAST HARTFORD

740 Main Street

East Hartford, Connecticut 06108

(860) 291-7364

FAX (860) 289-8394

GRANTS ADMINISTRATION

**AUTHORIZING RESOLUTION OF THE
TOWN COUNCIL OF EAST HARTFORD, CONNECTICUT**

CERTIFICATION: I, Angela M. Attenello, the Clerk of the Town Council of the Town of East Hartford, Connecticut, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town Council at its duly called and held meeting on September 20, 2011 at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Town Council of the Town of East Hartford, Connecticut, may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate pertaining to the "Hazard Mitigation Grant Program" for Disaster Declaration FEMA-DR-1958-CT; and

FURTHER BE IT RESOLVED, that Marcia A. Leclerc, as Mayor of the Town of East Hartford, Connecticut, is authorized and directed to execute and deliver any and all documents on behalf of the Town of East Hartford and to do and perform all acts and things which she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements, amendments and documents contemplated by such documents.


The undersigned further certifies that Marcia A. Leclerc now holds the office of Mayor and that she has held that office since January 10, 2011.

IN WITNESS WHEREOF: the undersigned has executed this certificate this ____ day of September, 2011.

Angela M. Attenello, Town Council Clerk

seal

T O W N O F E A S T H A R T F O R D
O F F I C E O F T H E M A Y O R

DATE: September 12, 2011
TO: Richard Kehoe, Chair
FROM: Mayor Marcia A. Leclerc 
RE: APPOINTMENT – Boards & Commissions

David A. Repoli, 69 Wood Drive, currently serves on the Zoning Board of Appeals as an alternate. The resignation of Terry Kitchen leaves an opening as a full time member and I am recommending moving Mr. Repoli into this open position with an expiration term December, 2014.

Please place on the Town Council Agenda for September 20, 2011. Thank you.

C: Inspections and Permits

**DEMOCRATS
DEMOCRATIC TOWN COMMITTEE
OF EAST HARTFORD**

PASQUALE J. SALEMI, Jr.
TOWN CHAIR

April 29, 2011

Mayor Marcia Leclerc
Town of East Hartford
740 Main St
East Hartford, CT 06108

Dear Mayor Leclerc:

Please be advised that on Tuesday, April 26, 2011 at a duly called meeting of the East Hartford Democratic Town Committee Executive Board and District Chairs, who serve as our Party's Permanent Nominating Committee, David A. Repoli of 69 Wood Drive, East Hartford, CT 06108 (860-290-9574) was unanimously endorsed as the Democratic Party's nominee to fill the current vacancy on the East Hartford Zoning Board of Appeals replacing Terry Kitchen of 180 Wickham Drive, East Hartford, CT 06108 who has submitted his resignation to Chairman Richard Torpey, Jr. Mr. Repoli currently serves as an "Alternate" was duly elected as a Democrat making this appointment available to a Majority Party nominee. The position of Alternate is now open for a Democratic appointment.

Thank you.

The **East Hartford Democratic Town Committee**

CATHERINE F. CONDIO

Catherine F. Condio
Secretary

T O W N O F E A S T H A R T F O R D
O F F I C E O F T H E M A Y O R

DATE: September 13, 2011
TO: Richard Kehoe, Chair
FROM: Mayor Marcia A. Leclerc
RE: REFUND OF TAXES

I recommend that the Town Council approve a total refund of taxes in the amount of \$4,750.87 as detailed in the attached listing from our Collector of Revenue.

Please place this item on the Town Council agenda for September 20, 2011 .

C: M. Walsh, Director of Finance
I. Laurenza, Tax Collector

INTEROFFICE MEMORANDUM

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

FROM: IRIS LAURENZA, COLLECTOR OF REVENUE
 ANNIE KOHLER, ASSISTANT TAX COLLECTOR

SUBJECT: REFUND OF TAXES

DATE: 9/13/2011


Under the provisions of Section 12-129 of the Connecticut General Statutes, the following persons are entitled to the refunds as requested. The total amount to be refunded is \$4,750.87 See attached list.

Bill	Name	Address	Prop Loc/Vehicle Info.	Over Paid
2010-03-0050551	ALERT SCIENTIFIC CORP	469 SCHOOL ST E HARTFORD CT 06108 1138	2B4GP44312R711959	\$ (23.62)
2010-03-0050611	ALERT SCIENTIFIC INC	469 SCHOOL ST E HARTFORD CT 06108 1138	1FTNE24272HA20877	\$ (23.06)
2010-03-0051223	ANDRULOT NANCY L	1 WATSON FARM DR S WINDSOR CT 06074	1GMDX03E1XD186599	\$ (71.49)
2009-03-0051462	ARI FLEET LT	4001 LEADENHALL RD MT LAUREL NJ 08054 1539	1FTRE14W74HA24171	\$ (16.71)
2010-03-0051501	ARI FLEET LT	4001 LEADENHALL RD MT LAUREL NJ 08054 1539	1FTRE14W74HA24171	\$ (194.47)
2010-03-0051502	ARI FLEET LT	4001 LEADENHALL RD MT LAUREL NJ 08054 1539	3N1BC13E09L395829	\$ (179.20)
2010-03-0051521	ARI FLEET LT	4001 LEADENHALL RD MT LAUREL NJ 08054 1539	1FTNE24L34HA51085	\$ (173.17)
2010-03-0051525	ARI FLEET LT	4001 LEADENHALL RD MT LAUREL NJ 08054 1539	1FTNE14W99DA51045	\$ (315.70)
2010-03-0052400	BARILE TERESA A OR BARILE RONALD	103 GREAT HILL RD E HARTFORD CT 06108 2833	KNDJE723477391628	\$ (175.89)
2010-03-0052441	BARNETT ROGER A	14 RUSSELL DR E HARTFORD CT 06108 1225	1GCFK24K4SZ117719	\$ (21.96)
2010-03-0052998	BENITEZ SERGIO A	8250 SW 149 COURT APT 205 MIAMI FL 33193	1D7HE22K37S214712	\$ (49.73)
2010-03-0053437	BKM ENTERPRISES INC	300 E RIVER DR E HARTFORD CT 06108 4205	1FTJS34S1VHA09312	\$ (27.09)
2010-03-0053444	BKM ENTERPRISES INC	300 E RIVER DR E HARTFORD CT 06108 4205	1NNVA4822HM112322	\$ (12.29)
2010-03-0053446	BKM ENTERPRISES INC	300 E RIVER DR E HARTFORD CT 06108 4205	1H2V04827HH034203	\$ (13.43)
2010-03-0053450	BKM ENTERPRISES INC	300 E RIVER DR E HARTFORD CT 06108 4205	1NNVA4824JM112389	\$ (13.25)
2010-03-0053451	BKM ENTERPRISES INC	300 E RIVER DR DP4802 E HARTFORD CT 06108 4205	1H2V04820PB034318	\$ (21.92)
2010-03-0053455	BKM ENTERPRISES INC	300 E RIVER DR 4806 E HARTFORD CT 06108 4205	1H2V04822P8034353	\$ (21.92)
2010-03-0053464	BKM ENTERPRISES INC	300 E RIVER DR 4807 E HARTFORD CT 06108 4205	1H2V04826PE043944	\$ (21.92)
2010-03-0053470	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FTNE24L83HB60348	\$ (46.20)
2010-03-0053473	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FTNE24LX3HB50534	\$ (46.20)
2010-03-0053475	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FTNE24L45HA53414	\$ (59.61)
2010-03-0053476	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FTNE24L45HA79463	\$ (59.61)
2010-03-0053477	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FTNE24L05HA48193	\$ (59.61)
2010-03-0053478	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FBNE31L05HA74436	\$ (66.60)
2010-03-0053479	BKM TOTAL OFFICE OF CT	300 EAST RIVER DR E HARTFORD CT 06108 4205	1FBNE31L95HA74435	\$ (66.60)
2010-03-0053971	BOULIER SHAWN L	74 CENTRAL AVE C10 E HARTFORD CT 06108 3106	4A3AA46G0XE109467	\$ (7.30)
2010-03-0055318	CAMARA FREDERICK J	50 CHEYENNE RD E HARTFORD CT 06118 2510	1LNHM86S73Y679149	\$ (29.26)

2010-03-0056522	CHASE AUTO FIN CORP	PO BOX 901076 FORT WORTH TX 76101 2076	JF1GE61638H521786	\$ (198.07)
2009-03-0056656	CHIARIZIO LOUIS P	61 COLLIMORE RD E HARTFORD CT 06108 1007	FORD70/0T05H168864	\$ (7.38)
2010-03-0057124	COLAGIOVANNI MARIO A JR	115 WHITING RD E HARTFORD CT 06118 1551	1HGEM21972L091144	\$ (26.78)
2008-03-0075679	CORDOS JULIA P	156 WOLCOTT HILL RD WETHERSFIELD CT 06109	1J4GW58N31C554458	\$ (6.00)
2010-03-0058810	DALOISIO NICOLA	755 OAK ST E HARTFORD CT 06118 3047	1FAHP33N48W274517	\$ (280.18)
2009-03-0059288	DCFS TRUST	BOX 685 ROANOKE TX 76262	WDBUF56X67B161774	\$ (59.18)
2010-03-0059202	DCFS TRUST	BOX 685 ROANOKE TX 76262	WDBUF56X67B161774	\$ (656.06)
2009-03-0061031	EAN HOLDINGS LLC	6929 N LAKEWOOD AS100 TULSA OK	1GNFK23009R239964	\$ (242.22)
2009-03-0061036	EAN HOLDINGS LLC	6929 N LAKEWOOD AS100 TULSA OK	1B3HB48A39D162584	\$ (357.48)
2009-03-0061117	EAN HOLDINGS LLC	6929 N LAKEWOOD AS100 TULSA OK	1C3LC46BX9N524944	\$ (39.32)
2009-04-0082308	EAN HOLDINGS LLC	6929 N LAKEWOOD AVE 1 TULSA OK 74117	3D4PG5FV3AT112227	\$ (46.74)
2010-03-0062475	FOGARTY CHARLES F	29 PORTERBROOK AVE E HARTFORD CT 06118 3225	1FTNX21L2XEB69617	\$ (15.66)
2009-03-0063758	GAUTHIER MALCOLM OR GAUTHIER JILL B	319 HILLS ST E HARTFORD CT 06118	2CNLD23F256061249	\$ (77.79)
2010-03-0063857	GEORGE CHERYL A	PO BOX 285 WINDSOR CT 06095 0285	2B3HD56J7WH148706	\$ (6.99)
2007-03-0064830	GIROUX MARC A	929 BURNSIDE AVE U B6 E HARTFORD CT 06108 2750	1FTCR10A2PUC71565	\$ (5.45)
2010-03-0065128	GRUNDY JOHN N	63 BLISS ST E HARTFORD CT 06108 2701	1G2NE5534RM568785	\$ (15.70)
2010-03-0067286	HURST JONATHAN A	25 WILLIAM ST E HARTFORD CT 06108 2656	JF1GE76679G504463	\$ (286.20)
2010-03-0067287	HURST JONATHAN A	25 WILLIAM ST E HARTFORD CT 06108 2656	JKAEXVD1X6A096184	\$ (63.33)
2010-03-0069231	KITCHEN THERESA A OR KITCHEN TIMOTHY P	15 HILLCREST ST HINSDALE NH 03451	4T1SK12E6SU576409	\$ (7.54)
2010-03-0069232	KITCHEN TIMOTHY P JNT	15 HILLCREST ST HINSDALE NH 03451	JT2BG22K310541441	\$ (14.11)
2010-03-0070394	LAW OFFICES HOWARD LEE	510 TOLLAND ST E HARTFORD CT 06108 2501	1G1ZS58F77F309732	\$ (42.13)

2010-03-0070785	LEMRISE CHESTER J	17ARAWAK DR E HARTFORD CT 06118 2532	1G2HX52K0S4277970	\$ (6.13)
2010-03-0070889	LEPINE PAUL F	74 HARVEST LN E HARTFORD CT 06118 3524	1FMYU03173KC64283	\$ (79.09)
2010-03-0073496	MCLAUGHLIN JOY A	34 BARBARA DR E HARTFORD CT 06118 1901	JT2SV16E6G0443596	\$ (11.91)
2010-03-0074915	MORGAN GLENFORD	117 FOOT PATH LN A/B E HARTFORD CT 06118 1587	4T1SV21E3KU092552	\$ (6.27)
2010-03-0076373	OBIEGLO JOSEPH	41 DELMONT RD E HARTFORD CT 06108 1523	2MEFM75W2WX613377	\$ (29.84)
2010-03-0076670	OLVERA YAJAIRA N	100 BENTON ST APT 104 HARTFORD CT 06114	1HGCD5657VA193669	\$ (112.55)
2009-03-0080531	REIK JONATHAN F	32 OAK RIDGE LN WEST HARTFORD CT 06107	1FMCU59389KC35349	\$ (59.06)
2010-03-0080484	RICHARDS NOLAN A	9 LEICHTNER DR E HARTFORD CT 06118 2143	JN1CA21D5TT154183	\$ (8.12)
2009-03-0085465	STEVENSON NORMAN	101 WALNUT ST E HARTFORD CT 06108 2975	KMHDN55D91U023407	\$ (124.90)
2010-03-0085393	SUAREZ EDWIN	92 WASHINGTON ST E HARTFORD CT 06118 2655	19UYA3253WL005650	\$ (19.14)
2010-03-0088379	VYAS MADHU	80 SIMMONS RD C9 E HARTFORD CT 06118 1138	JN1CA21D7WT529723	\$ (9.39)
2010-03-0088890	WHITE MAURICE J	40 HILLSIDE ST B19 E HARTFORD CT 06108 3639	1N4AB41D6VC788849	\$ (12.35)
TOTAL				\$ (4,750.87)

T O W N O F E A S T H A R T F O R D
O F F I C E O F T H E M A Y O R

DATE: September 12, 2011
TO: Richard Kehoe, Chair
FROM: Mayor Marcia A. Leclerc 
RE: REFERRAL: Ordinance Committee

I am requesting that at the September 20, 2011 Town Council meeting, a referral to the Ordinance Committee be made to address both Federal and State "Request for Quote" bidding requirements.

Please place on the agenda for review and possible referral. Thank you.

C: M. Walsh, Finance Director
J. Martin, Purchasing Agent
R. Gentile, Asst. Corporation Counsel

**OFFICE OF CORPORATION
COUNSEL**

DATE: August 30, 2011

TO: Mayor Leclerc

FROM: Richard Gentile 


RE: Purchasing Ordinance

As you know our office continues to review our purchasing ordinances in an attempt to address both Federal and State "Request for Quote" bidding requirements. We have also reviewed the need for bid waivers for amendments to existing contracts. After meeting with Nick Casparino of the Engineering Department, we developed some suggested changes to our current ordinances. I have attached a memo that outlines those changes. I have also attached a memo from Nick Casparino requesting that the changes go further.

Scott Chadwick and I request that you ask the Chairman to add this matter to the next Council agenda as a referral to the Ordinance Committee.

cc: Scott Chadwick
Nick Casparino

O F F I C E O F C O R P O R A T I O N
C O U N S E L

DATE: July 12, 2011
TO: Scott Chadwick, Nick Casperino
FROM: Rich Gentile 
RE: Purchasing Ordinances

This will follow up on our meeting a few months back in which we discussed ways to amend the Town's purchasing ordinances:

- (i) to address situations where public works projects are funded by the federal or state government and such funding source requires a bidding process different than that required under our ordinances (for example, federal funding may require an RFQ process rather than the Town's standard RFP process); and
- (ii) to eliminate waivers of the bidding process for additional work added on to certain major Town public works projects such as Road Projects or repairs of the levy system.

I believe the first issue can be addressed by adding a new subsection (e) to 10-7 which would read as follows:

(e) The provisions of sections (a) and (b) of this section and section 10-8 and 10-9 of the town ordinances do not apply if a single purchase of contract in excess of ten thousand dollars is made or let in connection with a project funded in whole or in part by state or federal funds and, as a condition of the receipt of such funds :

- (i) the town is required to follow state or federal bidding procedures; and
- (ii) the Purchasing Agent certifies that such federal or state bidding procedures have been followed.

I believe the second issue can be addressed by adding a new subsection (f) to 10-7 which would read as follows:

(f) The provisions of sections (a) and (b) of this section and section 10-8 and 10-9 of the town ordinances do not apply to amendments to existing public works projects provided: (i) the original purchase or contract has been bid in accordance with the bidding procedures set forth in this section 10-7, (ii) the existing public works project involves a road project or the maintenance or repair of the town's levy system, (iii) the amount of expenditure with respect to the amendment does not exceed \$500,000, (iv) the amount of the expenditure does not require the appropriation of additional town funds; and (v) the town council receives a quarterly update of all such amendments.

CHAPTER 10. Finance
and Taxation

Sec. 10-6a. On-Call Service
Contracts.

Sec. 10-6a. On-Call Service
Contracts.

Sec. 10-7. Bidding Procedures.

- (a) All single purchases and contracts, except for professional services and except as provided in subsection (c) of this section, in which the amount of expenditure is estimated to be ten thousand dollars or greater, shall be made from or let by sealed bids. All purchases, except for those for professional services and except as provided in subsection (c) of this section of less than ten thousand dollars, but greater than five thousand dollars, shall be substantiated by three written quotations which shall be held as a permanent record for audit and public inspection.
- (b) Purchases of professional services estimated to cost ten thousand dollars or more shall be subject to the following requirements:
- (1) The Director requiring the service(s) shall prepare a request for proposals defining the specific services to be delivered by the professional, requiring those responding to set out their professional qualifications, experience and ability to deliver such services, as well as the fee to be charged and containing such other information as may be required by the Director.
 - (2) The Director shall appoint a committee of three persons, each of whom shall be qualified to judge such proposals by having knowledge, expertise and background in the field or subject matter addressed in the proposals. The committee shall review and evaluate such proposals and may, on behalf of the Town, negotiate specific terms and prices with any person who submits a proposal.
 - (3) The Committee shall, after reviewing such proposals, submit its report and recommendations to the Mayor and the Director along with copies of the proposals. The Mayor may accept the committee's recommendation, select one of the other proposals, or reject all proposals. If the Mayor selects one of the other proposals or rejects all proposals, he shall document his reason for doing so in writing.
 - (4) Notices for requests for proposals shall be published in accordance with Section 10-8(a)(1) of The Code of Ordinances.

Effective: 09-14-10

- (c) The Town Council may waive the requirements of subsection (a) or subsection (b) of this section whenever it deems that such waiver is in the best interests of the Town.
- (d) The provisions of subsections (a) and (b) of this section and section 10-8 and section 10-9 of the town ordinances do not apply if a single purchase or contract in excess of ten thousand dollars is made or let based on a bid, either

CHAPTER 10. Finance
and Taxation

Sec. 10-9. Bids to be
Sealed; Security Deposit;
Opening; Records Required.

through a competitive bidding process or reverse auction process, received by (1) a federal or state government; (2) a regional governmental entity, including but not limited to the Capitol Region Council of Governments; (3) a purchasing consortium of state governments, including but not limited to the Western States Contracting Alliance; or (4) the Connecticut Conference of Municipalities, when such government, governmental entity or purchasing consortium has received such bid through a sealed competitive bidding process and the bidder agrees to offer such goods or professional services at that bid to municipal governments in Connecticut.

Effective: 09-14-10

Sec. 10-8. Notice of Invitation to Bid; Soliciting Bid from Bidder's List; Bids through State or Capitol Region Council of Governments.

In every instance of purchases or contracts requiring sealed bids, notice inviting sealed competitive bids shall be given as follows:

- (1) Notice shall be published at least once in a newspaper having substantial circulation in the town and at least ten calendar days must intervene between the date of last publication and the final date for submitting bids. Such notice shall include a general description of the articles to be purchased, shall state where bid blanks and specifications may be secured, and the time and place for opening bids;
- (2) The Purchasing Agent shall solicit sealed bids from all responsible suppliers who have requested their names to be added to a bidder's list; and
- (3) All pending purchases shall be advertised by a notice posted on a public bulletin board in the Town Hall.

Voted: 02-03-04
Published: 02-10-04
Effective: 03-02-04

Sec. 10-9. Bids to be Sealed; Security Deposit; Opening; Records Required.

- (a) All bids shall be submitted sealed to the Purchasing Agent and, when deemed necessary by him, shall be accompanied by security in the form and in such amounts as shall be prescribed in the public notice inviting bids. The bids shall be opened in public at the time and place stated in the newspaper notice. A tabulation of all bids showing the name of the bidders and amounts of bids and indicating in each case the successful bidder, together with the originals of all sealed bids and other

CHAPTER 10. Finance
and Taxation

Sec. 10-10. Awarding a
Contract.

Sec. 10-10. Awarding a
Contract.

documents pertaining to the award of contracts, shall be preserved for not less than six (6) years in a file which shall be open to public inspection.

- (b) The Purchasing Agent shall confer with the Director of Public Works and the Town Engineer at the time the bid specifications are written to determine if a guarantee of performance will be required. If a guarantee of performance will be required, such information shall be included in the notice of invitation to bid. The guarantee of performance may take the following forms, but is not limited thereto: performance bond, certified check or letter of credit.

Sec. 10-10. Awarding a Contract.

(a) The Purchasing Agent shall accept the lowest responsible bid that is in the Town's best interest. In determining the successful bidder, the Purchasing Agent shall consider, but is not limited to, the following factors: price, compliance to specifications, quality offered, freight costs, delivery time, past performance, standardization of current equipment, financial resources, technical qualifications, equipment and experience.

(b) The Purchasing Agent shall have the power to reject any or all bids or the bid for any one or more commodities or contractual services thereby and to advertise again for bids. If all bids received are for the same total amount or unit price, and if the public interest will not permit the delay of re-advertising for bids, the Purchasing Agent may purchase the commodities for contractual services in the open market, provided the price paid in the open market shall not exceed the lowest contract bid price submitted for the same commodity or contractual service. When not accepting the lowest bid, the Purchasing Agent shall, prior to notifying any bidder, notify the Mayor and provide any and all reasons for rejection of the lowest bid. The Purchasing Agent shall thereafter notify the Town Council and likewise provide any and all reasons for rejection of the lowest bid. Such notification shall appear on the Council agenda under Communications to be officially accepted into the minutes.

(c) A contract shall be awarded only in accordance with the specifications given in the notice of invitation to bid. If prior to the award of any contract, the bid specifications are altered and are consequently different from those specifications listed in the notice of invitation to bid, the Purchasing Agent shall reopen competitive bidding and, in so doing, shall follow the notice requirements of Section 10-8 above.

October 2, 1992

(d) The Town shall not award a bid to any bidder who owes a delinquent tax to the Town. Bidders certify by virtue of their signature on the bid sheet that neither the bidder nor any business or corporation in which the bidder owns an interest is delinquent in tax obligations to the Town. The Purchasing Department shall verify that no delinquent taxes are owed before any bid is awarded.

(e) All bidders certify upon acceptance of a bid by virtue of their signature on that bid, that they have read, understood and will comply with Section VIII of the Town's Plan

TO: Rich Gentile, Assistant Corporation Counsel

FROM: Nick Casparino, Civil Engineer *NJC*

DATE: July 28, 2011

RE: Purchasing Ordinances

I have reviewed your memorandum dated July 12, 2011 concerning a potential modification to Town's purchasing requirements. The following is provided for your use.

Item #1 – Federal / State Funding = The only question on this element is related to (ii) requirement that the Purchasing Agent certifies that the appropriate bidding procedures have been followed. I would recommend that we receive the input of the Purchasing Agent prior to finalizing this requirement.

Item #2 – Elimination of Bid Waivers on Public Works Projects (Roads & Levees) = A bid waiver will still be required to begin the selection process for professional services on a project equivalent to the current Levee project or the on-going Road Improvement Program. The reason for this approach is the unknown scope of the design work at the beginning of the process which prevents the development a comprehensive scope of services.

I recommend that the draft language be revised to include separate contracts. We have utilized a series of amendments on multi-year projects and it has presented administrative challenges with contracts being active for a number of years. We currently utilize amendments for revisions to existing contract elements but sign new contracts as different design elements are added to the project.

The third element which needs to be reviewed is the proposed \$500,000 cap for amendments. The proposed cap would not be sufficient to handle various road and levee tasks. The value should be increased to \$1,000,000 and even this value might be exceeded at some point.

The quarterly reporting to the Town Council would not be an issue.

Fundamentally professional service contracts are a challenge unless a specific task with a discrete scope of services can be identified. An example would be a federally funded STP Urban project to reconstruct a specific length of roadway. Staff can identify the work elements and flow necessary to complete the work which allows for the use of a RFP. Unfortunately with a majority of the large civil works project, you have multiple phases of professional services and the efforts are dependant on the findings of the earlier phases of the project. The Administration's requirements to continue an annual road improvement program or meet deadlines imposed by outside Agencies does not allow Staff to utilize the RFP process for each of the phases of the professional services. The

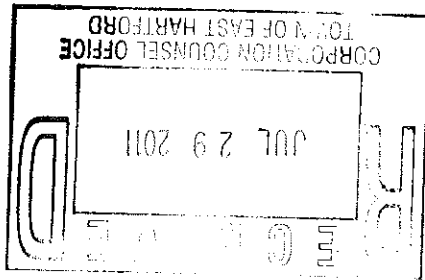
creation of the RFP, possible pre-bid meetings, submission of bids, and selection process would add months to each phase of the project.

I understand that the Town's current major efforts are improvements to the levees and roads but all major civil works projects have the same issues. I would like to explore if the language could be revised to include additional types of projects. My recommendation would be to allow staff to make a determination to utilize either an RFP or RFQ to secure professional services based on the type of project. Staff would report the reasoning for the use of RFQ versus RFP in the quarterly report to the Town Council.

Thank you for your assistance on attempting to find a method that will accommodate the various concerns surrounding the Town's purchasing requirements. Please call if you have any questions.

xc: Denise Horan, Town Engineer
Scott Chadwick, Corporation Counsel

towncouncil 072511






MEMORANDUM

DATE: September 8, 2011

TO: The East Hartford Town Council

FROM: Marcia A. Leclerc, Mayor 

TELEPHONE: (860) 291-7201

RE: Investing in East Hartford; "The Improving East Hartford Program"

Please accept the following documents outlining "The Improving East Hartford Program" as a referral to the Tax Policy Subcommittee including:

1. Discussion Points outlining the program
2. Tax Deferral Schedules 1 through 3
3. A Town Council Resolution to effectuate the program

As we all know, East Hartford grand list growth has been stagnant due to a variety of reasons including the economy, little land suitable for development, and the magnitude of Pratt and Whitney's personal property value which depreciates annually, often absorbing all increases in the grand list.

In an effort to stimulate the growth of the grand list, my policy initiative centers on revitalizing existing properties in all areas of town and attracting new investment by deferring the increased tax on any new investment on a declining scale for four years if the property is residential, for seven years if the property is commercial, and for ten years if the property qualifies as an "East Hartford First Five".

The benefits of the programs are consistent with CGS 12-65 and need to be approved by the Town Council in order to administer the program. Given the overall weakness of the economy, know that I support as broad a program as possible for taxpayers to qualify for these valuable tax benefits.

A brief policy outline of each program is presented below for your information:

RESIDENTIAL

1. The Town Council Resolution must articulate which improvement items are most likely to raise the assessed property value
 - a. Additions, new bathrooms, a new garage, or a sunroom are examples of items that would likely increase the assessed property value.
 - b. Replacement driveways, windows, a roof and siding are examples of items that more generally are maintenance in nature and in and of themselves may not increase the assessed value of the property unless all are done at one time.
2. A four year tax deferral schedule will be used for qualifying properties.
3. In order to qualify for this program, the property must be owner occupied (including owner occupied multi-family homes.)
4. The improvements completed must increase the assessed value of the property by a minimum of 10%.
5. Prior to making the improvements, the property owner must apply through the Development Department. The Development Department will then forward approved applications to the Assessor so the property owner knows in advance the value of any possible tax deferral.

6. The Town Council must renew this program annually.
7. Properties that do not meet the 10% assessed value increase threshold shall have their Town permit fees waived provided their assessed value increases by at least 5%.
8. Improvements funded by the Town are not eligible for this program.

COMMERCIAL

1. The Town Council Resolution must articulate which improvement items are most likely to raise the assessed property value:
 - a. Additions and expansions are examples of items that would likely increase the assessed property value.
 - b. Items that are maintenance in nature may not increase the value of the property. For example, interior renovations may not increase an assessment.
2. A seven year tax deferral schedule will be used for qualifying properties.
3. The improvements completed must increase the assessed value of the property by a minimum of 25%.
4. Prior to making the improvements, the property owner must apply through the Development Department who will in turn forward approved applications to the Assessor so the property owner knows in advance the value of any possible tax deferral.
5. The Town Council must renew this program annually.
6. Properties that do not meet the 25% assessed value increase threshold shall have their Town permit fees waived provided their assessed value increases by at least 5%.
7. Improvements funded by the Town are not eligible for this program.
8. Improvements to property held by not-for-profit entities are not eligible for the program.

EAST HARTFORD FIRST FIVE

1. The Town Council Resolution must articulate which improvement items are most likely to raise the property valuation:
 - a. Complete renovations are examples of items that would likely increase the assessed property value.
 - b. Items that more generally are maintenance in nature and in and of themselves may not increase the assessed value of the property.
2. A ten year tax deferral schedule will be used for qualifying properties.
3. The improvements completed must increase the assessed value of the property by a minimum of 50%.
4. Prior to making the improvements, the property owner must apply through the Development Department who will in turn forward approved applications to the Assessor so the property owner knows in advance the value of any possible tax deferral.
5. The Town Council must renew this program annually.
6. Properties that do not meet the 50% assessed value increase threshold shall have their Town permit fees waived provided their assessed value increases by at least 5%.
7. Improvements funded by the Town are not eligible for this program.
8. Improvements to property held by not-for-profit entities are not eligible for the program.

With respect to this policy initiative, John Choquette, Rich Gentile, Mike Walsh, and Brian Smith will support the sub-committee's work. I would respectfully request that the necessary work be completed by year-end so we can begin the important task of marketing our community and growing the grand list.

Should you have any questions or problems on the aforementioned, please feel free to contact me.

DISCUSSION POINTS

A tax deferral program for improvements made to real property is allowed under C.G.S. sections 12-65c to 12-65f

Purpose of implementing the program:

The Mayor and the Town Council of the Town of East Hartford hope to encourage the rehabilitation of deteriorating real property within the Town of East Hartford and attract new investment.

Should specific areas of Town be designated “rehabilitation areas” or should the whole town be eligible for the program?

For example, should properties in areas deemed “commercial node areas” as identified on the Town’s Generalized Land Use Plan be defined as the Only rehabilitation areas eligible for the program or should all areas of town be eligible to apply for the tax deferral program?

What real property is eligible for the rehab tax deferral program?

Should it be both commercial and residential? Should the program also include fixing assessment during construction phase?

For example: Eligibility for the deferral of increased assessment in real property could be allowable for consideration based on the age of the building being rehabilitated and the extent of the rehabilitation. By way of example only, the program might contain language such as the following:

- The structure on the property to be rehabilitated and/or improved must be at least 25 years old for *residential* properties and at least 30 years old for *non-residential* properties ; All necessary building, zoning, wetlands and other permits must be obtained prior to applying for the deferment;
- The proposed rehabilitation and/or improvement(s) must increase the value of the improvements on the real property by a minimum of 10 percent for *residential* properties and 25 percent for *non-residential* properties.
- Would a higher percentage benefit the town as it would lead to more substantial overall renovations? Example: “the First Five”- 50%

investment required, but a much richer tax abatement over a ten years period ?

Proposed Application Process.

Any owner of real property located in a rehabilitation area may prepare and present an application for deferral of increased assessment as a result of rehabilitation or improvements to real property in the Town of East Hartford as follows:

1. A pre- application would be submitted to the Development Department to screen for initial program eligibility. If the pre-application process indicates possible program eligibility, a full application shall be made to the Assessor, who shall determine the existing assessment for the existing improvements thereon, and the proposed adjusted assessment based on the completion of the rehabilitation and/or improvements as submitted. The proposed rehabilitation and/or improvements must increase the assessed value of the improvement upon *residential* real property by at least 10 percent. The proposed rehabilitation and/or improvements upon *non-residential* real property by at least 25 percent.
2. For *residential* structures, the existing structure proposed to be rehabilitated or improved must be at least 25 years old.
3. For *non-residential* structures, the existing structure proposed to be rehabilitated or improved must be at least 30 years old and the improvements may be required to include exterior rehabilitation and/or improvements.
4. All permits, including but not limited to, building, zoning, wetlands and special use, if necessary, shall be acquired prior to application.
5. All improvements must be completed within one (1) year of the approval of the application hereunder.
6. All taxes due to the Town of East Hartford for said real property and improvements shall be current.

7. Do we want to require that some exterior renovations be made?
Do we want to indicate deferral is not available to renovate or construct multi-family housing?

The Assessor shall approve the exemption upon a final inspection and the issuance of a certificate of occupancy, if required. (Requires sign-off of Town's Building Official.)

How long should the town offer rehab tax deferral benefits? (Example: 4 years for residential? 7 years for commercial?)

*** Examples of possible schedules are attached hereto.**

Other Conditions:

1. Any such tax deferral shall be contingent upon the continued use of the property for the purposes stated in the application.
2. The continuance of any such tax deferral shall be contingent upon the property remaining in compliance with all town ordinances and codes, including but not limited to building, housing, health and safety codes.
3. The tax deferral shall cease upon the failure of the property owner to pay any taxes due on said property when due.
4. Each application shall include a fifty dollar (\$50.00) non-refundable application fee.

The Town of East Hartford
 Analysis of "Improving East Hartford"
 Prepared on August 12, 2011

Schedule 1 - Residential (20% investment required)

		<u>Mill Rate</u>	<u>Tax</u>
Base assessment	\$ 125,000	34.42	\$ 4,303
New assessment	150,000	34.42	5,163
Increase	\$ 25,000		

<u>Year</u>	<u>Deferral %</u>	<u>Savings</u>
1	100%	861
2	75%	645
3	50%	430
4	25%	215

Tax savings \$ 2,151

Permit cost \$ 640

The Town of East Hartford
 Analysis of "Improving East Hartford"
 Prepared on August 12, 2011

Schedule 1 - Residential (20% investment required)

		<u>Mill Rate</u>	<u>Tax</u>
Base assessment	\$ 106,560	34.42	\$ 3,668
New assessment	110,680	34.42	3,810
Increase	<u>\$ 4,120</u>		

<u>Year</u>	<u>Deferral %</u>	<u>Savings</u>
1	100%	142
2	75%	106
3	50%	71
4	25%	35

Tax savings \$ 355

Permit cost \$ 590

The Town of East Hartford
 Analysis of "Improving East Hartford"
 Prepared on August 12, 2011

Schedule 2 - Retail and Commercial (25% investment required)
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		<u>Mill Rate</u>	<u>Tax</u>
Base assessment	\$ 1,000,000	34.42	\$ 34,420
New assessment	1,250,000	34.42	43,025
Increase	<u>\$ 250,000</u>		

<u>Year</u>	<u>Deferral %</u>	<u>Savings</u>
1	100%	8,605
2	83%	7,142
3	67%	5,765
4	50%	4,303
5	37%	3,184
6	20%	1,721
7	7%	602

Tax savings	<u>\$ 31,322</u>
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Permit cost	\$ 6,265
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The Town of East Hartford
 Analysis of "Improving East Hartford"
 Prepared on August 12, 2011

Schedule 2 - Retail and Commercial (25% investment required)
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		<u>Mill Rate</u>	<u>Tax</u>
Base assessment	\$ 444,580	34.42	\$ 15,302
New assessment	465,980	34.42	16,039
Increase	\$ 21,400		

<u>Year</u>	<u>Deferral %</u>	<u>Savings</u>
1	100%	737
2	83%	611
3	67%	494
4	50%	368
5	37%	273
6	20%	147
7	7%	52

Tax savings \$ 2,681

Permit cost \$ 5,865

The Town of East Hartford
 Analysis of "Improving East Hartford"
 Prepared on August 12, 2011

Schedule 3 - "The First Five" (50% investment required)

		<u>Mill Rate</u>	<u>Tax</u>
Base assessment	\$ 1,000,000	34.42	\$ 34,420
New assessment	1,500,000	34.42	51,630
Increase	<u>\$ 500,000</u>		

<u>Year</u>	<u>Deferral %</u>	<u>Savings</u>
1	100%	17,210
2	90%	15,489
3	80%	13,768
4	70%	12,047
5	60%	10,326
6	50%	8,605
7	40%	6,884
8	30%	5,163
9	20%	3,442
10	10%	1,721

Tax savings	<u>\$ 94,655</u>
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Permit cost	\$ 12,515
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**EAST HARTFORD TOWN COUNCIL
DRAFT EXAMPLE
RESOLUTION**

WHEREAS, the Town Council of the Town of East Hartford wishes to encourage the improvement or repair of structures, or facilities appurtenant thereto or, real property in areas designated as rehabilitation areas within the Town of East Hartford, (such improvement or repairs constituting a “Rehabilitation” as defined under Connecticut General Statutes §12-65c(b)), and

WHEREAS, Connecticut General Statutes §12-65e allows for the deferral of increases in assessments attributable to Rehabilitation, and

WHEREAS, Pursuant to Connecticut General Statutes Section 12-65d, the Town of East Hartford wishes to designate Commercial Node Area properties as identified on the Town’s Generalized Land Use Plan and which are part of the Town of East Hartford Plan of Conservation and Development, as the same may be amended from time to time, as “Rehabilitation Areas”, as defined by Connecticut General Statutes Section 12-65c(a), and *(will be changed if all of the town is eligible for the program)*

WHEREAS, the Town of East Hartford wishes to set forth eligibility criteria for the deferral of increases in assessments attributable to Rehabilitation;

NOW THEREFORE BE IT RESOLVED, that the Town of East Hartford hereby designates Commercial Node Properties as identified on the Town’s Generalized Land Use Plan and which are part of the Town of East Hartford Plan of Conservation and Development as the same may be amended from time to time, as Rehabilitation Areas as defined by Connecticut General Statutes §12-65c(a).

BE IT FURTHER RESOLVED that the Town of East Hartford adapts the definition of Rehabilitation as set forth in Connecticut General Statutes §12-65c(b).

BE IT FURTHER RESOLVED that the following criteria be established for eligibility of real property within the Rehabilitation Area for the deferral of any increased assessment attributable to Rehabilitation or,

1. The proposed Rehabilitation must increase the assessed value of the improvements upon residential real property by at least the percentages outlined in the assessment deferral schedules set forth herein. The proposed Rehabilitation must increase the assessed value of the improvements upon non-residential real property by at least the percentages outlined in the assessment deferral schedules set forth herein.

2. For residential structures, the existing structure proposed to be rehabilitated must be at least 25 years old. Improvements may be required to include exterior renovations. The construction of new multi-family rental housing or cooperative housing units will not be eligible for assessment deferral.
3. For non-residential structures, the existing structure proposed to be rehabilitated must be at least 30 years old. Improvements may be required to include exterior renovations.
4. All necessary permits including building, zoning, wetlands and special use, shall be acquired prior to application for the assessment deferral.
5. The Rehabilitation must be completed within one (1) year of the approval of the application for the assessment deferral.
6. The Rehabilitation must be compatible with the East Hartford Plan of Conservation and Development and consistent with the Town's Subdivision, Zoning and Inland Wetlands regulations.
7. All taxes due to the Town of East Hartford for the applicable real property (and the improvements thereon) shall be current.

BE IT FURTHER RESOLVED, that any owner of real property may prepare and present an application for deferral of increased assessment of real property resulting for Rehabilitation of real property in a Rehabilitation Area in the Town of East Hartford. to the Assessor, who shall determine the existing assessment for the existing improvements thereon, and the proposed adjusted assessment based on the completion of the rehabilitation or construction as submitted. The Assessor will provide such determination to the Town's Development office, which will work with the Town's Corporation Counsel to prepare a tax deferral agreement. Each application shall include a fifty dollar (\$50) non-refundable application fee.

BE IT FURTHER RESOLVED, The Assessor shall approve the exemption upon the issuance of a certificate of occupancy, if required, and the final inspection and certification by the Director of Inspections and Permits that the Rehabilitation and the structures or facilities being Rehabilitated are in conformance with these criteria and all applicable provisions of the State Building Code, state Health Code and all local Housing Codes.

BE IT FURTHER RESOLVED, the deferral of increased assessment with respect to the Rehabilitation will be in accordance with the following schedule and conditions:

[Assessment deferral schedules will be added in once established]

- a) Any such tax deferral shall be contingent upon the continued use of the property for the purposes stated in the application.
- b) The continuance of any such tax deferral shall be contingent upon the property remaining in compliance with all town ordinances and codes, including but not limited to building, housing, health and safety codes.
- c) The tax deferral shall cease upon the failure of the property owner to pay any taxes due on said property when due.

BE IT FURTHER RESOLVED, In the event of a general revaluation in any year after the year in which such Rehabilitation is completed resulting in any increase in the assessment on such real property, only that portion of the increase resulting from such Rehabilitation shall be deferred. Also, in the event of a general revaluation in any year after the year in which such Rehabilitation is completed, such deferred assessment shall be increased or decreased in proportion to the increase or decrease in the total assessment on such real property as a result of such general revaluation.

BE IT FURTHER RESOLVED, this resolution shall take effect ten (10) days after publication in a newspaper having a circulation in the Town of East Hartford and shall automatically terminate five 5 years from said effective date, unless extended, renewed or terminated by action of the Town Council.

OFFICE OF THE
TOWN COUNCIL

TOWN OF EAST HARTFORD

740 Main Street

East Hartford, Connecticut 06108



Rowe J. Beck

2011 SEP 19 AM 11:28
(860) 291-7208

TOWN CLERK (860) 291-7389
EAST HARTFORD

DATE: September 15, 2011

TO: Town Council Members

FROM: Rich Kehoe, Chair

CANCELLED 09-19-11

RE: Tuesday, September 20, 2011 7:00 p.m. Town Council Majority Office

In accordance with Section 3.3 (a) of the Town Charter, a Special Meeting of the Town Council will be held as follows:

Tuesday, September 20, 2011

7:00 p.m.

Town Council Majority Office

The purpose of the meeting is to meet in Executive Session to discuss the workers' compensation claim of former employee Joseph Albuquerque.

cc: Mayor Leclerc
Scott Chadwick, Corporation Counsel
Frank Cassetta, Assistant Corporation Counsel