

*Robert J. Beck*

EAST HARTFORD TOWN COUNCIL 2018 JAN - 8 A 8: 37

TOWN COUNCIL CHAMBERS

TOWN CLERK  
EAST HARTFORD

JANUARY 2, 2018

PRESENT Chair Richard F. Kehoe, Vice Chair Linda A. Russo, Majority Leader Ram Aberasturia, Minority Leader Esther B. Clarke, Councillors Marc I. Weinberg, Joseph R. Carlson, Shelby J. Brown, Patricia Harmon, and Caroline Torres

### CALL TO ORDER

Chair Kehoe called the meeting to order at 7:47 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.

### AMENDMENTS TO THE AGENDA

MOTION By Ram Aberasturia  
seconded by Esther Clarke  
to **amend** the agenda as follows:  
  
under Communications, add item 6.C. "Letter from the Metropolitan District Commission re: DEEP and Fees for Groundwater Discharge from the Hartford Landfill".  
  
Motion carried 9/0.

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

Susan Kniep, 50 Olde Roberts Street, inquired what the city of Waterbury v. Purdue Pharma lawsuit will cost the taxpayer; and (2) asked that the lawsuit be posted to the town's website for the public's benefit.

Donald Sugalski, 1736 Main Street, believes that the Council should amend the Boards and Commissions Procedures ordinance to mandate that all tests be written so as to provide a public record of the results.

Mayor Leclerc (1) wished all a Happy New Year; (2) thanked those who are resigning from various Boards/Commissions for their service to the community; (3) the Aselton Road Race will be held this Sunday, January 7<sup>th</sup>; (4) the severe cold weather protocol is in effect – the town's warming centers are the South End Senior Center and the Public Safety Complex; and (5) the Public Works department will pick up your tree curbside until January 12<sup>th</sup>.

## APPROVAL OF MINUTES

### December 12, 2017 Executive Session

MOTION      By Ram Aberasturia  
                 seconded by Marc Weinberg  
                 to **approve** the minutes of the December 12, 2017 Executive Session.  
                 Motion carried 9/0.

### December 12, 2017 Regular Meeting

MOTION      By Ram Aberasturia  
                 seconded by Pat Harmon  
                 to **approve** the minutes of the December 12, 2017 Regular Meeting.  
                 Motion carried 9/0.

## COMMUNICATIONS AND PETITIONS

### Resignations from Various Boards and Commissions

Chair Kehoe announced the following resignations: from the Beautification Commission – Elaine Dube and Patricia Perron; from the Library Commission – Mary Mourey and Rosalie Tavtigian; and from the Zoning Board of Appeals – Richard DeCrescenzo, Jr. He thanked them all for their service to the town.

### Letter to DECD Commissioner Catherine Smith re: Enterprise Zone

Mayor Leclerc discussed the following letter which she wrote to Commissioner Smith that was prompted by the state's elimination of funding for the Enterprise Zone program:

December 21, 2017

Commissioner Catherine Smith  
Department of Economic and Community Development  
450 Columbus Boulevard  
Hartford, CT 06103

Dear Commissioner Smith:

This letter is sent as a follow-up to discussions with you and your office regarding the State Enterprise Zone program and clarification on the elimination of state funding to support the program.

East Hartford was designated a Distressed Municipality and a Targeted Investment Community by the State of CT. As you are aware, the goal of the program was to attract development and incentivize business relocation and expansion projects. The benefits of a five-year, 80% abatement of local property taxes on all qualifying real and personal property new to the Grand List committed the state to funding 50% of the tax abatement by returning revenue to the distressed community.

In light of the state's decision to no longer fund the program, as of today's date, the Town of East Hartford no longer wishes to participate in the program. In January I will send a request to our Town Council to repeal the town ordinance which enables the program. I respectfully request appropriate action from your department in connection with our decision to eliminate the Enterprise Zone in East Hartford.

Sincerely,

Marcia A. Leclerc, Mayor

Letter from the Metropolitan District re: DEEP and Fees for Groundwater Discharge from the Hartford Landfill

Chair Kehoe summarized the communication from William DiBella, Chair of the MDC. As previously stated at a Council meeting by MDC representatives, the State of Connecticut (DEEP) is disputing the charges from the MDC for groundwater runoff from the Hartford Landfill into the MDC's sanitary sewer system. The disputed amount, including accrued interest through December 2017, is approximately \$3.4M. This outstanding debt – if not paid by DEEP – will result in an increase in the ad valorem sewer charge assessed to the MDC member towns from an expected 3% increase to an 8% increase.

NEW BUSINESS

Recommendation from Ordinance Committee:

Sections 2-1a through 2-1e "Boards and Commissions Procedures"

MOTION      By Linda Russo  
                  seconded by Esther Clarke  
                  to **amend** the East Hartford Code of Ordinances by adding new sections 2-1a through 2-1e, entitled "Boards and Commissions Procedures" consistent with the draft dated December 7, 2017 as unanimously approved by the Ordinance Committee.  
                  Motion carried 9/0.

Section 13-31 "Bingo Regulations"

MOTION      By Linda Russo  
                  seconded by Marc Weinberg  
                  to **amend** the East Hartford Code of Ordinances by adding a new section 13-31 entitled "Bingo, Raffles, Drawings", consistent with the draft dated December 5, 2017 as unanimously approved by the Ordinance Committee.  
                  Motion carried 9/0.

Prior to action on the following agenda items, Corporation Counsel Scott Chadwick gave a brief overview of the pending litigation against opioid manufacturers. Attorney Chadwick indicated that the city of Waterbury contacted Mayor Leclerc to inform her of the pending action known as "City of Waterbury v. Purdue Pharma, L.P." that the city was pursuing against opioid manufacturers. Attorney Chadwick stated that any fees and/or costs associated with the lawsuit would be deducted from any settlement that the town might receive.

City of Waterbury v. Purdue Pharma, L.P.

Authorization to Sue

MOTION      By Ram Aberasturia  
                  seconded by Caroline Torres

to **authorize** the town of East Hartford to join as a party plaintiff in the pending Superior Court action known as City of Waterbury v Purdue Pharma, L/P., an action against opioid manufacturers.  
Motion carried 9/0.

Bid Waiver: Legal Services – City of Waterbury v Purdue Pharma, L.P.

MOTION      By Ram Aberasturia  
                 seconded by Esther Clarke  
                 that pursuant to Section 10-7(c) of the Town of East Hartford Code of Ordinances, the Town Council **waive** the bidding requirements for legal services associated with the pending Superior Court action known as City of Waterbury v. Purdue Pharma, L.P., an action against opioid manufacturers, and to **authorize** the town to retain the law firms of Drubner Hartley & Hellman, LLC and Simmons Hanley Conroy LLC to provide legal services to prosecute same as it is in the best interests of the town.  
                 Motion carried 9/0.

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

None

COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

Workers' Compensation Claim: Kerri Renner, Board of Education Member

MOTION      By Ram Aberasturia  
                 seconded by Marc Weinberg  
                 to **accept** the recommendation of Corporation Counsel to accept \$50,000.00 as full satisfaction of the outstanding workers' compensation lien of current Board of Education employee, Kerri Renner.  
                 Motion carried 9/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

Susan Kniep, 50 Olde Roberts Street, (1) asked that the paperwork for the Purdue Pharma lawsuit be posted to the town's website; (2) inquired if Senator Joan Hartley's husband is a member of the law firm of Drubner Hartley & Hellman; (3) asked what would the town's liability be if it is not awarded a settlement in the Purdue Pharma lawsuit and is then counter-sued by Purdue Pharma; and (4) inquired on the Connecticut Attorney General's involvement in the Purdue Pharma litigation, if any.

ADJOURNMENT

MOTION      By Esther Clarke  
                 seconded by Linda Russo  
                 to **adjourn** (8:47 p.m.).  
                 Motion carried 9/0.

The Chair announced that the next meeting of the Town Council would be January 16<sup>th</sup>.

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