

TOWN COUNCIL MAJORITY OFFICE

ORDINANCE COMMITTEE

APRIL 23, 2015

PRESENT Rich Kehoe, Chair and Councillor Esther Clarke

ABSENT Councillor Bill Horan

ALSO Marcia Leclerc, Mayor
PRESENT Rich Gentile, Assistant Corporation Counsel
Scott Samson, Police Chief
Michelle DeDominicis, 56 Hills Street

CALL TO ORDER

Chair Kehoe called the meeting to order at 5:38 p.m.

APPROVAL OF MINUTES

January 15, 2015 Meeting

MOTION By Esther Clarke
seconded by Rich Kehoe
to **approve** the January 15, 2015 Ordinance meeting minutes.
Motion carried 2/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

None

OLD BUSINESS

Review of Obsolete Boards and Commissions

The Committee reviewed a number of Boards and Commissions which have been fairly inactive, many of which have not had individuals appointed to them for years. Those Boards and Commission are:

- Human Rights Commission

The Commission has not had members for a number of years and in the past has had very limited activity. The sense is that the town should continue to have community forums on relations between races and nationalities, but that a single commission is no longer necessary.

- Youth Council

The Youth Council has not had members in many years. The Department of Youth Services does not see a need for this Council. There are a number of avenues by which the youth in East Hartford are engaged with the Administration through Youth Services, through the Police Department and through Parks and Recreation, as well as the school system. At this point there doesn't seem to be a function for this Council.

- Civilian Review Board

Established nearly 30 years ago, the Board has never had any members nor exercised any authority. Chief Sansom reviewed the current process of handling complaints on police officers. He noted that the policies for handling such complaints track the certification requirements of the major law enforcement accreditation association. In addition, a Connecticut state agency -- the Police Officers Standards and Training Board -- is developing model policies for internal affairs procedures for all police departments. The Chief noted that although there are thousands of arrests each year, last year there were only 8 complaints that were of fairly minor alleged activities -- one of the complaints were sustained. He noted that shootings and deaths in custody are already investigated by the chief state's attorney's office. Attached are the procedures followed by the police department.

- Advisory Committees for the Enterprise Zone

The Committees have never been active since established in 1995. There doesn't seem to be much of a reason for their input since the Enterprise Zone only exists as a mechanism by which tax abatements can be provided to businesses that open operations within those zones. The Connecticut Department of Economic and Community Development notified the town that such Committees are no longer required.

- Golf Course Improvement Fund

Section 10-45 of the East Hartford Code of Ordinances established this fund which is no longer used since the golf course no longer generates as a profit and the town has reorganized how it operates the golf course. Therefore this fund, which was intended to build up money for capital improvements to the golf course, is no longer necessary.

- EMS Commission

The Commission has had limited activity over the past years. The Commission was established when the town first created EMTs on the Fire Department. Since then, the EMTs have become professionalized and the Commission's activities have become unnecessary.

- Section 8-32 Massage Therapists

This section should be deleted because most of those provisions are in the Sexually Oriented Business Ordinance Section 8-61 et seq.; so the language in Section 8-32 et seq. is redundant.

- Parking Ticket and Abandoned Vehicles Ordinance

The suggestion is that there ought to be a bank of up to four hearing officers appointed by the Mayor who can hear appeals on parking tickets that are issued or tags on abandoned vehicles. The abandoned vehicles appeal provisions in Ordinance are consistent with state law and should remain as such. The appeal provisions for parking tickets should be streamlined so that the people who appeal those tickets can chose to file an appeal and not have to have a hearing. Under this “administrative appeal”, the hearing officer can take a look at the documents that are filed with the appeal and make a determination whether to grant the appeal or not and not hold a hearing. The person receiving the parking ticket must have the ability to have a hearing if the parking ticket recipient wants one in lieu of having a hearing officer just review the documents. In addition, if the hearing officer reviews the documents and upholds the parking ticket, the recipient must have the ability to seek a hearing after that review.

Corporation Counsel will work on a draft that will incorporate those requirements,

- Personnel Appeals Board

The alternate on the Personnel Appeals Board cannot serve on another board or commission of the town, yet regular members can. There doesn't seem to be any rationale for why a person who serves on another board or commission could not also serve on the Personnel Appeals Board. The Committee recommends that the limitation for the alternate members to the Personnel Appeals Board be eliminated.

- Housing Code Board of Appeals

Section 7-2 of the Code of Ordinances is required to exist. However, it is not included on the town's website, but should be. The Administration will be informed to include the Housing Code Board of Appeals to the list of Boards and Commissions on the website.

The Committee will look for a draft encompassing all of the above changes at its next meeting.

NEW BUSINESS

Section 6-5, Swine and Poultry

The Committee Chair reviewed the current regulation with regard to chickens as contained in section 6-5. There has been a significant movement to allow residential property owners to maintain a small number of chickens to lay eggs for personal consumption. The existing ordinance would prohibit property owners from having small number of hens on their property unless they owned a fairly significant amount of land. The committee noted that many of the surrounding towns have looked at amending their zoning regulations or their ordinances to allow for limited numbers of egg laying chickens in residential property. The Committee has requested that the town contact CCM for a summary of what other towns have done regarding this issue and report back to the Committee so that it can determine what may be appropriate for East Hartford.

Massage Therapy Establishments

Chief Sansom noted that there are a number of illegal massage parlors in East Hartford, which would violate the town's sexually oriented business ordinance. There have been some of those massage parlors which have engaged in illegal sexual activity that also have licensed massage therapists on site. The owner uses that licensed massage therapist as a way to argue that they are not a sexually oriented business. The Committee understands that if there is illegal sexual activity going on, they would fall under our sexually oriented business ordinance. Nonetheless, the Committee is interested in trying to ensure that from a regulatory, rather than a criminal enforcement, standpoint the town has all the right tools to shut down these massage parlors notwithstanding the fact that they may, at times, engage in what may be considered licensed massage therapy activity with a licensed massage therapist.

The Committee would like to hear from the town's Health Department and Inspections & Permits Department to determine exactly what tools they would need that they don't already have under existing state and local laws. The Committee will discuss this matter with those individuals at the next meeting.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Rich Kehoe
 to **adjourn** (7:16 p.m.)
 Motion carried 2/0.

cc: Mayor Leclerc
Town Council
Chief Sansom, EHPD
Gregg Grew, Inspections/Permits
Rich Gentile, Assistant Corporation Counsel
Michelle DeDominicis, 56 Hills Street