

*Robert J. Bask*

2019 JUL 19 A 9:09

TOWN COUNCIL MAJORITY OFFICE  
TOWN CLERK  
EAST HARTFORD  
REAL ESTATE ACQUISITION AND DISPOSITION COMMITTEE

JULY 16, 2019

PRESENT Linda Russo, Chair, Councillors Ram Aberasturia and Caroline Torres

ALSO Marcia Leclerc, Mayor

PRESENT Rich Gentile, Assistant Corporation Counsel  
Christopher Pliszka, Finance Director, EHHA  
Gregg Burton, Attorney for EHHA  
Helen Muniz, Carabetta  
East Hartford Housing Authority Commission Members:  
James Kate, Chair  
Hazelann Cook and Prescille Yamamoto (arrived 6:10pm)

CALL TO ORDER

Chair Russo called the meeting to order at 6:02 p.m.

APPROVAL OF MINUTES

June 20, 2019 Meeting

MOTION By Caroline Torres  
seconded by Ram Aberasturia  
to **approve** the minutes of the June 20, 2019 meeting.  
Motion carried 3/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

None

NEW BUSINESS

78 North Meadow Lane

Rich Gentile, Assistant Corporation Counsel, reported that the Administration believes this property does not add any value to the town. Therefore, the Mayor has no interest in



Motion carried 3/0.

MOTION By Ram Aberasturia  
seconded by Caroline Torres  
to **adjourn** (6:18 p.m.)  
Motion carried 3/0.

Real Estate Acq. &amp; Disp. Comm.



**East Hartford Housing Authority**  
546 Burnside Ave, East Hartford, CT 06108

Main Office  
860-290-8301

Maintenance\24 Hour Emergency  
860-290-8300

TDD 1-800-545-1833 ext 216

Finance Dept Fax  
860-290-8308

Leasing Dept Fax  
860-289-1688

[www.ehhousing.org](http://www.ehhousing.org)

July 5, 2019

*Via hand delivery*

Real Estate Acquisition & Disposition Committee  
Town of East Hartford Town Council  
740 Main Street - 2nd Floor  
East Hartford, CT 06108  
Attention: Linda Russo, Chair

**Re: Town of East Hartford Discontinuance and Conveyance of Columbus Circle Extension, East Hartford, to the Housing Authority of the Town of East Hartford**

Dear Chair Russo and Members of the Committee:

Thank you for the opportunity our team had at the Committee's June 20, 2019 meeting to further discuss the Town of East Hartford's ("Town") discontinuance and subsequent conveyance of Columbus Circle Extension a/k/a Columbus Street Extension ("Road") to the Housing Authority of the Town of East Hartford ("EHHA"). As you know, the discontinuance and subsequent conveyance of the Road is a critical requirement needed to facilitate the next phases of the Veterans Terrace development. Further, and as we have discussed at both the Committee's June 20, 2019 and May 15, 2019 meetings, the deadline for applying for tax credits for the next phase of Veterans Terrace is expected to be November 1, 2019, and EHHA must have site control of the Road by that time in order to satisfy application criteria. In order to meet that deadline, and with timing now critical, the Road discontinuance and conveyance process must begin immediately.

At the Committee's June 20, 2019 meeting, the Committee and our team discussed EHHA's prior offers to the Committee dated June 5, 2019 and May 15, 2019. Following those discussions, EHHA hereby submits for review and consideration by the Committee and Town Council a final proposal. In exchange for the Town's discontinuance and subsequent conveyance of the Road to EHHA in order to facilitate the Veterans Terrace redevelopment, EHHA will:

- 1.) Grant the Town a right of first refusal ("ROFR") on EHHA's property at 546 Burnside Avenue ("Burnside Property") on the following terms:
  - a. For a period of five (5) years commencing on the date the Road is conveyed to EHHA ("ROFR Period"), EHHA will not transfer, sell, assign, give, or otherwise dispose of the Burnside Property to any third-party (a "Third-Party Transaction") without first offering the Burnside Property for a period of thirty (30) days to the Town as provided below.
  - b. If, during the ROFR Period, EHHA receives a bona fide written offer for a Third-Party Transaction that EHHA desires to accept ("Third-Party Offer"), EHHA will, within five (5) business days following EHHA's determination to accept the Third-Party Offer, notify the Town in writing of such Third-Party Offer ("Offer Notice"), including a copy of the Third-

JAMES KATE  
CHAIRMAN

PRESCILLE YAMAMOTO  
VICE CHAIRMAN

JOHN CARIELLA  
TREASURER

HAZEL ANN COOK  
COMMISSIONER

KATHLEEN STEPHENS  
COMMISSIONER

DEBRA BOUCHARD  
EXECUTIVE DIRECTOR

RALPH J. ALEXANDER  
LEGAL COUNSEL

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Party Offer. The Town will then have the right to purchase the Burnside Property on the same financial and other terms and conditions of set forth in such Third-Party Offer ("Material Terms"); *provided, however*, that the Town shall not be entitled to a financing contingency, regardless if one is provided or contemplated in the Third Party Offer or as part of the Material Terms. Subject to the foregoing limitation, the Offer Notice will constitute an offer made by EHHA to enter into an agreement with the Town on the same Material Terms of such Third-Party Offer ("ROFR Offer").

- c. Within thirty (30) days from receipt of the Offer Notice ("Exercise Period"), the Town may accept the ROFR Offer by written notice to EHHA ("Exercise Notice"). The Town's failure to deliver the Exercise Notice to EHHA by the expiration of the Exercise Period will be deemed a rejection of the ROFR Offer, and EHHA may consummate the Third-Party Transaction.
  - d. If the Town delivers a timely Exercise Notice, the Town and EHHA will execute a binding contract for the purchase of the Burnside Property consistent with the ROFR Offer within ten (10) days.
  - e. The ROFR will: (i) not be assignable to any other person, and (ii) be subject to compliance with any legal requirements imposed by the United States Department of Housing and Urban Development and/or the State of Connecticut Department of Housing with respect to the disposition of EHHA real property; and
- 2.) Pay the Town \$5,000 as consideration for the Road, which would be paid upon completion of the discontinuance and conveyance of the Road to EHHA, such payment and amount being consistent with the Town's past practice of requiring grantees of Town property to pay nominal consideration for such properties.

With the tax credit application deadline fast approaching, we appreciate your prompt attention to this revised and final offer.

Should you have any questions concerning this revised offer or the Veterans Terrace project, our team will be happy to answer them at your upcoming July meeting.

Very truly yours,



Debra Bouchard  
Executive Director

cc: EHHA Board of Commissioners  
Gregg T. Burton, Esq.

JAMES KATE  
CHAIRMAN

PRESCILLE YANAMOTO  
VICE CHAIRMAN

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