

Robert J. Clark

WELLING CONFERENCE ROOM

2017 SEP -5 P 2:35

ORDINANCE COMMITTEE

TOWN CLERK
EAST HARTFORD

AUGUST 29, 2017

PRESENT Rich Kehoe, Chair, Councillors Bill Horan and Esther Clarke

ALSO Rich Gentile, Assistant Corporation Counsel

PRESENT Patriotic/Veterans Affairs Commissions:
Melodie Wilson, Tim Siggia, Vinny Parys, Awet Tsegai

Fine Arts/Library Commissions:
Prescille Yamamoto, Elizabeth Russell, Dan Russell,
Florence Schroeter, Gloria Visgilio-Lupi, Mary Mourey

Anita Morrison, 34 Jonathan Lane
Kevin Kickery, 38 Bancroft Road
Susan Kniep, 50 Olde Roberts Street
Donald Sugalski, 1736 Main Street

CALL TO ORDER

Chair Kehoe called the meeting to order at 5:39 p.m.

APPROVAL OF MINUTES

June 19, 2017 Meeting

MOTION By Esther Clarke
seconded by Bill Horan
to **approve** the June 19, 2017 meeting minutes.
Motion carried 3/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

Susan Kniep requested that the Ordinance Committee look into why the East Hartford Housing Authority has not posted the minutes from their last meeting on their website, as well as the agenda for their upcoming meeting.

OLD BUSINESS

Boards/Commissions Review:

- Veterans' Affairs & Patriotic Commission

The Chair reviewed the August 23rd draft of the ordinance that would combine the Veterans' Affairs and Patriotic Commissions. He noted that the changes that were made to address the issues raised at the last Ordinance Committee meeting – specifically establishing a

process whereby members of both the commissions could continue to serve out their terms and to allow for the commission to work with non-commission members and volunteers to carry out their projects. The commission members who were in attendance asked a number of clarifying questions which were addressed.

MOTION By Esther Clarke
seconded by Bill Horan
to **send** the August 23rd draft entitled "Veterans Commission" to the
Town Council for the purposes of setting a public hearing date.
Motion carried 3/0.

Veterans Commission
(August 23, 2017 draft)

Sec. 1 Section 2-113b of the town ordinances is repealed and the following is substituted in lieu thereof:

(a) There is established a veterans commission [on veterans' affairs]. The commission shall consist of nine members. At least six members shall be residents of East Hartford. Such members shall be appointed for a two year term. In addition, the agent for veterans' affairs designated pursuant to [Section one] section 2-113a, shall serve as an ex-officio member of the commission on veterans' affairs. Notwithstanding the provisions of this section, on the effective date of this ordinance the veterans commission members shall include all members of the commission on veterans affairs and the patriotic commission who shall serve until their terms on the date of enactment of this ordinance expire. Vacancies shall be filled when the veterans commission membership is no more than nine members.

(b) The commission shall serve as a resource for information concerning federal, state and local benefits and services for veterans, active duty personnel and their families. The commission shall compile contact information from federal and state veterans' affairs agencies and veterans' advocacy groups. The commission may coordinate the scheduling of regular hours for veterans' advocates to meet with veterans at town hall or other town facilities. The commission may assist the mayor and the agent for veterans' affairs in communicating matters of interest to veterans, active duty personnel and their families in the town of East Hartford. The commission may work with town organizations and volunteers to carry out its projects and may officially recognize such organization and volunteers for their service.

(c) The commission shall conduct celebratory and memorial events to commemorate national and state holidays and such other events to honor active military and veterans.

[[c)] The chair of the commission, or such other members of the commission as the commission, by majority vote shall designate, shall serve as the town's veterans' service contact person pursuant to section 27-135 of the Connecticut General Statutes. Such person or persons shall complete an annual training course pursuant to section 27-102l of the Connecticut General Statutes and shall comply with such other requirements for a veterans' service contact person as set forth in state law.

For reference, the Patriotic Commission ordinance would be deleted but is set out here for reference only.

ARTICLE 4. PATRIOTIC COMMISSION. Sec. 14-22. Established; Composition

- a) There is established a Patriotic Commission of nine (9) members representing the public-at large.
- b) There may be up to six (6) additional positions for representatives of any six (6) civic, fraternal, business, or religious organizations.
- c) There shall be no more than one (1) representative from any single organization mentioned above.

Sec. 14-23. Appointment and Terms of Members.

- a) Initially, appointments shall be two (2) members for a term of one (1) year; two (2) members for a term of two (2) years; and three (3) members for a term of three (3) years. After initial terms expire, subsequent terms will each be for a three (3) year period.

b) Associate members, members appointed by the Commission for special projects, shall have no voting privileges. There shall be no limit to the number of associate members and terms of associate members shall expire on the first day of December of each year.

c) The terms of each civic, fraternal, business, or religious representative shall expire on the first day of December of each year.

14-24. Duties. The Patriotic Commission shall have the authority and responsibility to study and conduct activities related to national and state holidays, town celebrations, etc. The Commission shall promote the town image and make recommendations to the Mayor and Council regarding the arrangements, supervision, plan and conduct of such activities, and shall have the authority and responsibility to conduct all approved activities.

- Library Commission & Fine Arts Commission

The Chair reviewed the goals of combining the Fine Arts Commission and the Library Commission such that, similar to the Veterans' Affairs and Patriotic Commissions, the members would continue to serve until their terms expired. There was further discussion about the combined roles of the Commission which is to ensure that there is appropriate attention raised to both the Library and Fine Arts. The ordinance also addressed that revenue raised from the projects operated by the Commission could be used for the Commission's expenses or for future projects of the Commission. There was a question raised with regard to the budgets for both the Fine Arts Commission and Library Commission, as well as the budgets for the Veteran's Affairs and Patriotic Commissions. It was assured that the budget as it exists in the 2017-2018FY for those Commissions would be maintained and simply combined and moved to a new line item for use by those Commissions.

MOTION By Esther Clarke
 seconded by Bill Horan
 to send the August 23rd draft entitled "Commission on Culture and Fine Arts"
 to the Town Council for the purposes of setting a public hearing date.
 Motion carried 3/0.

Commission on Culture and Fine Arts
(August 23, 2017 draft)

Sec. 1 Section 14-1 of the town ordinances is hereby repealed and the following is substituted in lieu thereof:

- (a) There is established the [Fine Arts Commission] Commission on Culture and Fine Arts which shall consist of fifteen members appointed for a term of five years. Terms shall be staggered so that three members are appointed each year. On the effective date of this ordinance, the Commission members shall consist of the members of the Fine Arts Commission and the Library Commission who shall serve until their terms expire. Vacancies shall be filled once the membership of the commission is no more than 15 members.
- (b) The Commission shall promote and stimulate general interest among the citizens of the town in the fine arts and other cultural arts and the town libraries. The Commission shall work with the Town Librarian to encourage the use of the Raymond Library and other town libraries for the display of fine arts and other cultural arts. The Commission may charge a fee for any activity that it conducts. Such revenue shall be credited to an account for use by the Commission on future projects or to offset expenses of such activity.

The following ordinances would be deleted but are set out here for reference

Sec. 14-1. Established. There is established the Fine Arts Commission. Sec. 14-2. Purpose. The purpose of the Fine Arts Commission shall be to promote and stimulate general interest among the citizens of the town in the fine arts. Sec. 14-3. Membership; Appointment; Term. The Fine Arts Commission shall consist of fifteen (15)

members, not more than ten (10) of whom shall belong to the same political party. Terms shall be staggered so that three (3) members are appointed each year. Members shall be appointed for terms of five (5) years. Sec. 14-4. Authority to Establish By-Laws, Rules and Regulations. The Fine Arts Commission shall establish such by-laws, rules and regulations as are necessary to achieve its purpose as set out herein.

Sec. 2-110. Established. There is established a Library Commission for the general purpose of improving the library services of the Town of East Hartford and advising the Mayor and Council of methods to do so. Sec. 2-111. Members; Appointments; Terms of Office. (a) The Commission shall consist of nine (9) members, all of whom shall be electors of the town, appointed by the Mayor with the consent of the Town Council. Not more than six (6) members shall belong to the same political party. The Library Director shall serve in an exofficio capacity. Town of East Hartford Code of Ordinances Sec. 2-112. Meetings; Quorum. CHAPTER 2. The Administration (b) Initial appointments to the Commission shall be made as follows: three (3) members shall be appointed for a term of one (1) year; three (3) members shall be appointed for a term of two (2) years; and three (3) members shall be appointed for a term of three (3) years. Thereafter, each subsequent appointment shall be for a term of three (3) years. Sec. 2-112. Meetings; Quorum. The Library Commission shall meet not less than four (4) times each year. A quorum at any meeting shall consist of five (5) voting members. Affirmative votes by the majority of voting members present at any meeting shall be necessary to validate any and all actions and recommendations taken by the Commission at such meeting. Sec. 2-113. Duties. The duties of the Library Commission shall be as follows: 1. To promote and encourage improvements in the library services of the Town; 2. To study conditions affecting the library services to the Town, and suggest improvements; 3. To encourage the use and expansion of the library services of the Town, and to promote the library services among the community; 4. To make such recommendations to the Mayor on methods of maintaining and improving the library services as it deems appropriate; 5. To seek through the Town's Grants Administrator grants from public and private sources to be used in achieving any of its purposes; 6. To collect, compile and disseminate information relative to maintaining and improving the Town's library services; and 7. To make a full written report of all activities undertaken by it to the Mayor once a year. The report shall be delivered on or before November 1 of each year and shall detail activities carried out by the Commission during the preceding twelve (12) month period.

- Other Boards and Commissions

The Chair noted that there are a number of commissions that the Committee is considering abolishing, including the Insurance Committee and the EMS Commission. There are some outstanding issues with regard to the Economic Development Commission which the Committee will address at a future meeting.

Boards and Commissions Procedures

The Chair reviewed the August 26th draft of the Board and Commission Procedures Ordinance noting that the goal of this ordinance is establish a more consistent process for the recording of minutes, the posting of notices of the meetings and the taking of attendance by the clerks. It was noted that there would be a permanent clerk who would ensure that all Boards and Commissions agendas and minutes are filed appropriately in the Town Clerk's office and posted on the town's website. The actual minutes and agendas would be sent to the permanent clerk by the respective Board or Commission clerk or Chair. The Boards and Commission would continue to appoint a clerk, but that clerk would have to be certified as being trained with a manual that the town would establish to ensure that the clerk understands how to record minutes, to comply with the Freedom of Information Act (FOIA) and Robert's Rules of Order.

The proposed ordinance would also address the need that the commission members are fully aware of the responsibilities on their specific board or commission and that they also know relevant FOIA and Robert's Rules of Order provisions. It is likely that the bulk of the training or manual that would be provided to a board or commission member would be similar to that of the clerk for that board or commission as well. However, it is important that

all boards and commissions members within ninety days are provided that training. There is also a specific provision for requiring that members of the adjudicatory boards and commissions – the Planning and Zoning Commission, the Board of Assessment Appeals, the Zoning Board of Appeals, and the Inland/Wetlands Commission – would have enhanced training because of the legal significance of the decisions that are made at those commission meetings.

The proposed Board and Commission Procedure ordinance would also require an annual compilation of attendance by the board and commission members. If there is a board or commission member that has not attended at least 50% of the meetings, that person would be considered resigned and that the Town Council could, in fact, reinstate the person if there are extenuating circumstances for his/her absence from the meetings.

Finally, the ordinance would require that the town's website have a place where individuals could download and file an application to serve on a board or commission and that application would be sent to the permanent clerk who would distribute it to the appropriate people, which may include the political party chairs and the chair of the board or commission that the applicant is interested in. It was noted that perhaps the training for the board and commission clerks should be provided not just once, but with an annual update. It was also thought that there should be a process for notifying a board or commission member that he or she has failed to attend more than 50% of the meetings and therefore is deemed to have resigned, as well as containing a notice that there is a process by which they can notify the Town Council of their extenuating circumstances.

Corporation Counsel wishes to provide some further review of this ordinance. The Ordinance Committee will take no further action on this draft ordinance pending Corporation Counsel's review and input.

Off-street Parking, Boats, MVs, RVs

Assistant Corporation Counsel Rich Gentile reviewed the intent which is to add abandoned recreational vehicles (RV's) to the list of motor vehicles that would fall under the statute of ticketing and towing of currently abandoned cars and trucks but now would include a broader range of vehicles that, if abandoned, would be found in violation of our ordinances. Secondly the draft ordinance would provide for greater restrictions on where people can park their boats, RV's and cars to make sure that such vehicles cannot be parked on front lawns and in fact only parked on driveways for a limited period of time. The goal is to make sure that the ordinance can be easily enforced.

The Committee requested some additional time to look at this particular draft and requested that Corporation Counsel also review the provisions with the Inspections & Permits department to ensure that the ordinance would actually be easily enforced since enforcement of these provisions is critical to addressing the concerns of the Committee and many town residents.

There were further comments by Susan Kniep about her recent court case which overturned the Zoning Board of Appeals approval of a permit for a commercial entity next to her home on Olde Roberts Street. She urged the Committee to take a further look at the ordinances to prevent such situation from reoccurring.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Bill Horan
 to **adjourn** (7:23 p.m.)
 Motion carried 3/0.

cc: Mayor Leclerc
 Town Council
 Rich Gentile, Assistant Corporation Counsel
 Members of:
 Patriotic Commission
 Veterans Affairs Commissions
 Fine Arts Commission
 Library Commission
 Susan Kniep
 Donald Sugalski
 Anita Morrison
 Kevin Kickery