

Robert J. Paek

TOWN COUNCIL MAJORITY OFFICE

2016 DEC 16 A 9:05

ORDINANCE COMMITTEE

TOWN CLERK
EAST HARTFORD

DECEMBER 12, 2016

PRESENT Rich Kehoe, Chair and Councillor Esther Clarke

ABSENT Councillor Bill Horan

ALSO Mayor Marcia Leclerc
PRESENT Rich Gentile, Assistant Corporation Counsel
Ram Aberasturia, Town Councillor
Jessica Carrero, Assistant to the Mayor
Reginald and Davida Thibault, 42 Chester Street

CALL TO ORDER

Chair Kehoe called the meeting to order at 6:01 p.m.

APPROVAL OF MINUTES

August 31, 2016 Meeting

MOTION By Esther Clarke
seconded by Rich Kehoe
to **approve** the August 31, 2016 Ordinance meeting minutes.
Motion carried 2/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

The Chair explained to those present that any concerns on the off-street parking issue would be addressed during that part of the agenda.

OLD BUSINESS

Off-street Parking: Motor Vehicles, Boats and RVs

Chair Kehoe indicated that there was a discussion at the last meeting about the need for better regulation of these vehicles when they are located on residential property. The Corporation Counsel's office conducted a review of the surrounding communities and came up with a draft ordinance that would (1) restrict the parking of such vehicles on the front lawn of residential property; (2) create a maximum allowed vehicle of any sort of 30'; (3) allow for the parking of the RV, or such boat or vehicle in a driveway for 24 hours; and (4) allow the parking of these vehicles in a rear yard provided (a) it is on a gravel or otherwise finished surface; and (b) that there is appropriate screening to shield the neighbors from the sight of these vehicles. Mr. Thibault, 42 Chester Street, had the following concerns: (1) that the

surface of what is considered to be acceptable driveway material would include gravel and/or crushed stone; (2) there should be a discussion about utility trailers that are 20' long (those are trailers that are not used for living in them); and (3) clarify the proper notice to the landowner when there is an impoundment of an abandoned or inoperable vehicle as he had had an issue regarding the adequacy of the notice approximately 20 years ago.

Finally the Committee reviewed the definition of "motor vehicle" and will compare it to the state statute regarding the type of vehicle that can be operated on a street or road and therefore needs, under state law, to be registered with the Department of Motor Vehicles.

The Committee agreed to take all this under consideration and discuss at a subsequent Ordinance Committee meeting.

Boards/Commissions Review

Mayor Leclerc and Jessica Carrero, Assistant to Mayor Leclerc, provided the Committee with their concerns on some of the Town's Boards and Commissions problems involving the taking of minutes, the annual attendance forms not being filed, Commission members failing to attend a number of meetings and the lack of uniformity with regard to how the Boards and Commissions are handling their administrative functions.

After much discussion, the Committee agreed to consider the following changes to the ordinances involving Boards and Commissions: (1) seek to professionalize the Clerks who handle the minutes and tie the stipend for the Clerks to the successful filing of meeting minutes in a timely fashion and the annual attendance figures for the Board or Commission they clerk; (2) review each Board or Commission's ordinance to ensure that there is a clear direction being provided to such Board or Commission with regard to their jurisdiction; (3) create an automatic loss of Board membership if there is a significant amount of meetings that are missed by the Board member; (4) eliminate a number of Boards and Commissions that are currently not operating – such as the Civilian Review Board, the Youth Services Board, the EMS Commission, perhaps make the Hockanum River Commission an Advisory Board of the Parks & Recreation Department rather than a free-standing Commission, change the Board of Tax Review to Board of Assessment Appeals, combine a number of the appeals boards so that one board handles property maintenance code and housing code; (5) require mandatory training in the Freedom of Information Act and other regulations governing the operations of Boards and Commissions; and (6) possibly combine the Veterans Affairs Commission and the Patriotic Commission to have one group that would cover both jurisdictions.

There will be further discussion and refinements on these overall improvements.

NEW BUSINESS

Outdoor Wood Furnaces

The Committee reviewed the current state law and an assessment that was done with regard to the environmental and health concerns of these outdoor wood furnaces. The Administration indicated that to the best of their knowledge, there are no outdoor wood furnaces operating in East Hartford and given our densely populated area, it probably is inappropriate for such furnaces that typically need a fair amount of clearance for the smoke

to dissipate before it affects neighbors. These furnaces are typically used in more rural settings. It was noted that West Hartford bans such outdoor wood furnaces and the Committee agreed that there should be an ordinance drafted that would ban such furnaces in East Hartford as well.

Corporation Counsel will submit to the Committee a draft ordinance for its review at the next Ordinance Committee meeting.

OPEB Increase

The Committee reviewed the documentation provided by the Finance Director with regard to changing the current ordinance that requires the automatic transfer of funds from fund balance to the OPEB trust fund which is designed to create funding adequate enough to address town retirees' health insurance costs which is an ongoing liability of the town. The auditors would like to see the town maintain a fund balance in the 10% of total town expenditure range, which under this current ordinance would not be allowed since any funds over 8% are automatically transferred to the OPEB trust fund. A 10% fund balance would help the town of East Hartford receive a favorable rating by the bond rating companies.

MOTION By Esther Clarke
 seconded by Rich Kehoe
 to send the December 12th draft of the Retiree Benefit Trust Fund
 ordinance to the Town Council for the purposes of setting a public
 hearing date. (see below)
 Motion carried 2/0.

D R A F T

(12-12-16)

Section 10-52. Retiree Benefit Trust Fund.

- (a) There is established a Retiree Benefit Trust Fund. The purpose of the fund is to provide funds to meet long-term obligations of the Town of East Hartford regarding health benefits provided to retired town employees in accordance with provisions for such benefits contained in any agreement between town employees and the Town of East Hartford.
- (b) Income to such fund shall include any amounts appropriated to such fund by the town council or as provided in this subsection and any return on investments of such funds. If, at the close of any fiscal year, the undesignated reserve fund for the town exceeds [eight] ~~ten~~ percent of the total budget appropriation for such fiscal year, the budget surplus in such fiscal year, as verified by the town auditors, shall be appropriated to the Retiree Benefit Trust Fund.
- (c) Expenses of such fund shall include those expenses necessary for the maintenance and administration of the fund, including but not limited to actuary and consulting fees. Fund expenses shall not include compensation of any town employee or other general office-related expenses unless approved by the Town Council.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Rich Kehoe
 to **adjourn** (7:11 p.m.)
 Motion carried 2/0.

cc: Mayor Leclerc
Town Council
Rich Gentile, Assistant Corporation Counsel
Mike Walsh, Finance Director