

**RECEIVED ORIGINAL**

SEP 30 2008

TOWN OF WEST HARTFORD, CONNECTICUT

TOWN COUNCIL MEETING

Re: Ordinance Amending the Special Flood  
Hazard Area for the Town of West Hartford

Public Hearing held at the Town Hall, 50  
South Main Street, Room 314, West Hartford,  
Connecticut, on September 23, 2008, beginning  
at 7:00 p.m.



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West Hartford, CT  
Essie Labrot Town Clerk

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## 1 A p p e a r e n c e s :

2 Town Council Members Present:

3 MAYOR SCOTT SLIFKA

4 LEON DAVIDOFF

5 STEVEN I. ADLER

6 TIM BRENNAN

7 SHARI CANTOR

8 CAROLYN THORNBERRY

9 JOSEPH VERRENGIA

10

11 RONALD VAN WINKLE,

12 Interim Town Manager

13 JOSEPH A. O'BRIEN,

14 Corporation Counsel

15 PATRICK ALAIR,

16 Deputy Corporation Counsel

17 KIMBERLY J. BONEHAM

18 Assistant Corporation Counsel

19

20 ESSIE S. LABROT

21 Town Clerk/Council Clerk

22

23

24

25

1 PRESIDENT SLIFKA: Call the 7  
2 o'clock public hearing to order.  
3 Mr. Brennan, the subject matter, please.

4 COUNCILOR BRENNAN: Yes,  
5 Mr. Mayor. For the 7 o'clock public hearing  
6 the ordinance amending the special flood  
7 hazard area for the Town of West Hartford.

8 PRESIDENT SLIFKA: Thank you.  
9 Roll call please, Ms. Labrot.

10 MS. LABROT: Mr. Adler?

11 COUNCILOR ADLER: Here.

12 MS. LABROT: Mr. Brennan?

13 COUNCILOR BRENNAN: Here.

14 MS. LABROT: Mrs. Cantor?

15 COUNCILOR CANTOR: Here.

16 MS. LABROT: Mr. Coursey's

17 absent.

18 Mr. Davidoff?

19 COUNCILOR DAVIDOFF: Here.

20 MS. LABROT: Mr. Slifka?

21 PRESIDENT SLIFKA: Here.

22 MS. LABROT: Dr. Thornberry?

23 COUNCILOR THORNBERRY: Here.

24 MS. LABROT: Mr. Verrengia?

25 COUNCILOR VERRENGIA: Here.

1 MS. LABROT: And  
2 Mr. Visconti's absent.

3 PRESIDENT SLIFKA: Thank you,  
4 Ms. Labrot. Ms. Boneham's here, presentation  
5 for the administration?

6 MS. BONEHAM: Yes. The  
7 ordinance in front of you is here because the  
8 town participates in the National Flood  
9 Insurance Program, which most people are  
10 aware of. It provides a discount on flood  
11 insurance premiums for property owners. Now  
12 FEMA has been reexamining the flood maps,  
13 reexamining the flood zones, actually  
14 throughout the country, and they've developed  
15 revised flood insurance rate maps that  
16 reflect what they believe are the current  
17 flood risks.

18 And in order for the town to  
19 continue to participate in the flood  
20 insurance program, the town has to approve  
21 new maps through adoption of this particular  
22 ordinance. And the ordinance itself has  
23 certain federal and state requirements that  
24 have to be met. Now, on its face, the  
25 revised ordinance looks substantially

1 different from the old one, but really that  
2 is only because the old ordinance  
3 incorporated by reference the code of Federal  
4 Regulations that applied to the flood  
5 insurance program. There was a particular  
6 line in the old ordinance that said that the  
7 standards had to meet CFR Section 60.3. But  
8 we were told by the State DEP that that would  
9 no longer be acceptable and needed to  
10 actually spell out what these regulations  
11 were. So, as a result, we have a  
12 substantially long ordinance now, longer  
13 definitions, because there's more text  
14 obviously within it. But the process itself  
15 for obtaining approval for development in  
16 flood plains is the same. Nothing's really  
17 changed.

18 As far as the new maps were --  
19 are concerned -- again these were issued by  
20 FEMA, they determined whether a property sits  
21 within a flood plain, and there were many  
22 properties that were removed from the flood  
23 zone, but there were approximately 250 that  
24 were added, that they determined now belong  
25 in a flood zone. And they made this

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1 determination because the accuracy for  
2 mapping is better than it was when they last  
3 did it approximately 20 years ago.

4           Basically what the town did to  
5 try to communicate these changes to the  
6 homeowners is that they did send out a letter  
7 to all the individual homeowners that now  
8 find themselves in the flood zone and they  
9 let them know that they had the opportunity  
10 to take advantage of lower insurance rates  
11 through grandfathering as long as it's done  
12 by a certain date and they also issued a  
13 press release. And in addition there is a  
14 updated geoprobe so that people who go on to  
15 the town website and put in their property  
16 and see if it is in -- in a flood zone at  
17 this point.

18           So bottom line, what you have  
19 in front of us is largely a result of  
20 something that is out of our hands, but if we  
21 wanted to continue to participate in the  
22 program, this is the ordinance that needs to  
23 be adopted.

24           PRESIDENT SLIFKA: Thank you,  
25 Ms. Boneham. I -- you anticipated what was

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1 going to be my question, which is this has  
2 gotten some attention in the press and -- and  
3 we've received some e-mails and calls from  
4 residents because they were affected by this.  
5 I think we've heard more from the 250 or so  
6 who have been added to the list as opposed to  
7 the 250 that were subtracted.

8           And is there really anything  
9 that's a discretionary act on behalf of  
10 Councilmen? Sounds like from your statement  
11 that -- that our choices are to opt out of  
12 the flood insurance program or not, but with  
13 respect to the map, the ordinance, et cetera,  
14 there is really nothing we can do other than  
15 accept it.

16           MS. BONEHAM: That -- that --

17           PRESIDENT SLIFKA: Is that  
18 accurate?

19           MS. BONEHAM: -- that's  
20 correct. If you choose to not to adopt the  
21 ordinance, then you would not be  
22 participating in the National Flood Insurance  
23 Program anymore. But that wouldn't change  
24 the fact that these homeowners' properties  
25 would still be considered within the flood

1 zone.

2 PRESIDENT SLIFKA: And if we  
3 did that and the -- we were no longer in the  
4 flood insurance program, that means that the  
5 residents who are affected would not be able  
6 to receive reduced premiums on their flood  
7 insurance. Correct?

8 MS. BONEHAM: Correct.  
9 Correct.

10 PRESIDENT SLIFKA: So if we  
11 vote no on this, for some reason, they've got  
12 to go out to the market and pay full rate.

13 MS. BONEHAM: Exactly.

14 PRESIDENT SLIFKA: Okay.  
15 Anybody else?

16 (No response.)

17 PRESIDENT SLIFKA:  
18 Mr. Van Winkle, I think this is more for you.  
19 Could you just address, for the record, the  
20 notice piece of this. I know we -- again, I  
21 -- it coincided relatively with your -- your  
22 move into the new position, but there were  
23 some residents who contacted us saying, you  
24 know, what was -- you know, were we going to  
25 be advised, how are they going to be advised,



1 and that has all now played out since then.  
2 I think it played out fairly well. But could  
3 you just, for the record, state what -- what  
4 transpired to -- to give notice to residents.

5 MR. VAN WINKLE: Well, for the  
6 record, FEMA gave us notice that they were  
7 changing their maps and gave us maps which we  
8 could not read and tell whether property  
9 owners were able to -- were in or were out  
10 and what were changed. We actually hired an  
11 engineering firm to take our existing GIS  
12 map, mapping that we have with our homes and  
13 our property lines on it, and merge it with  
14 the FEMA maps and then analyze those maps to  
15 determine what homes were added to the flood  
16 plain.

17 We went through process out  
18 our expense, FEMA would not do that. We then  
19 obtained the addresses of those homeowners  
20 and then notified every homeowner that would  
21 be new to the system that they have an  
22 opportunity to buy this insurance at a  
23 grandfathered rate, which was cheaper. And  
24 we did that in time so they could then go to  
25 their insurance agent, actually, and talk to

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1 them about this.

2                   You know, this -- this will  
3 come up when someone goes to renew their  
4 mortgage or goes to buy a home and -- and  
5 purchase a mortgage. If that home is on  
6 these maps and in that flood plain, they  
7 will -- they will need to buy that insurance  
8 in order to get that mortgage in those cases.

9                   So we have notified and -- and  
10 very few towns went through this process  
11 because it was, A, expensive, and it was  
12 highly technical to kind of figure it out.  
13 We tried to do it for several weeks before we  
14 realized we weren't able to.

15                   But we have sent notice to the  
16 residents who are affected by this.

17                   PRESIDENT SLIFKA: Thank you.  
18 Is there anything from the council?

19                   Dr. Thornberry.

20                   COUNCILOR THORNBERRY:

21 Mr. Van Winkle, is this listed -- this  
22 restriction listed on their deed?

23                   MR. VAN WINKLE: This  
24 restriction would not be listed on their  
25 deed. It would be listed on the mortgage

1 document. For a new homeowner, it would be  
2 listed there. I can't think of a reason why  
3 it would be listed on the deed. Maybe  
4 Corporation Counsel knows.

5 MR. O'BRIEN: No. No. It  
6 wouldn't -- wouldn't be listed on the deed at  
7 all.

8 MR. VAN WINKLE: Uh-huh.

9 MR. O'BRIEN: But what happens  
10 is anytime someone goes to a lender for a  
11 purchase or refinance, the lender will pay a  
12 private firm \$15, comes out of your pocket  
13 ultimately, to do a flood plain -- flood  
14 search, and they'll look at the FEMA maps and  
15 say, yes, you're in a hundred year flood  
16 plain. In order for you to get the loan,  
17 we're requiring you to get flood insurance,  
18 and that's, you know, this -- that would not  
19 appear on a deed, but it would be a reality  
20 if you --

21 COUNCILOR THORNBERRY: Uh-huh.

22 MR. O'BRIEN: -- sought to  
23 borrow money with respect to a property in a  
24 flood plain.

25 COUNCILOR THORNBERRY: Okay.

1 Thank you.

2 COUNCILOR BRENNAN: Any other  
3 questions?

4 Mr. Adler.

5 COUNCILOR ADLER: Through you,  
6 Mr. Chair, temporarily. Mr. Van Winkle,  
7 what's the percentage of commercial and  
8 residential that are impacted by the -- the  
9 adjustment of this new flood plain?

10 MR. VAN WINKLE: I don't know  
11 the answer to the question on a percentage.  
12 We have less than 2,000, I mean it's small --

13 A VOICE: It's 250 homes --

14 MR. VAN WINKLE: -- with 250  
15 new homes, if you're talking about that, that  
16 would be -- we have 25,000 units in West  
17 Hartford so it's less than 1 percent,  
18 obviously, of the homes now newly affected.

19 COUNCILOR ADLER: Okay.

20 Thanks.

21 COUNCILOR BRENNAN: Okay. Any  
22 other questions?

23 (No response.)

24 COUNCILOR BRENNAN: Anybody on  
25 the -- on the list?

1 MR. ALAIR: Blank.

2 COUNCILOR BRENNAN: It's  
3 blank. Is there anyone out there who'd like  
4 to speak to this topic on -- on the public  
5 hearing?

6 (No response.)

7 COUNCILOR BRENNAN: Okay.  
8 Hearing done. Meeting is adjourned.

9 (Whereupon, the above  
10 proceedings were adjourned at 7:08 p.m.)

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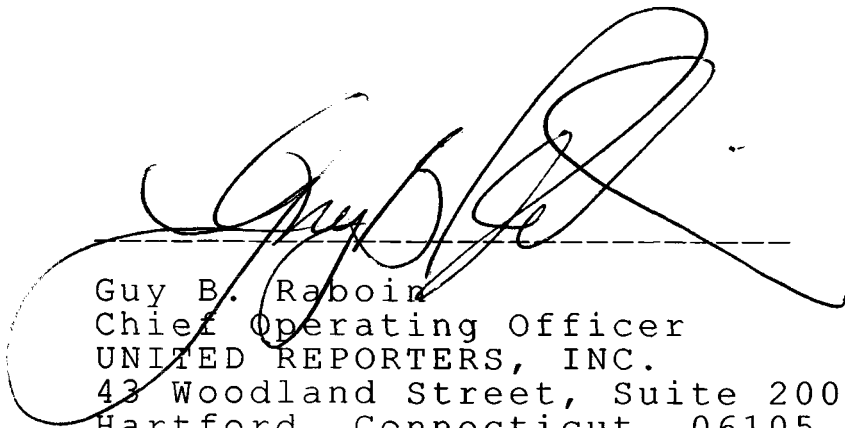
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