

**MINUTES OF WEST HARTFORD TOWN COUNCIL
PUBLIC HEARING
JUNE 23, 2009 LEGISLATIVE CHAMBER 7:15 PM
Ordinance of the Town of West Hartford
Implementing Fees for Fire Department Permits and Inspections**

President Slifka called the Hearing to order at 7:15 p.m.

President Slifka: Good evening. We're going to call the Public Hearing to order scheduled for 7:15 which is on an Ordinance Implementing Fees for Fire Department Permits and Inspections. Ms. Labrot, roll call please.

Present were Councilors Steven Adler, Tim Brennan, Chuck Coursey, Leon Davidoff, Scott Slifka, Carolyn Thornberry and Joe Verrengia.
Councilors Cantor and Councilor Visconti were absent.

President Slifka: Thank you, Ms. Labrot. I believe our presentation of the administration is from Chief Austin and Chief Sinsigalli. I think I heard that or Mr. Van Winkle, is it not? Gentleman.? Oh, okay. It sounds good, Chief.

Assistant Chief Sinsigalli: I'm not used to... (*Laughter*). Good evening, ladies and gentleman. My name is Mike Sinsigalli. I'm Assistant Chief with the West Hartford Fire Department and I run the Fire Prevention Division of the agency. Back several months ago when the town was going through all of the budget upheaval the chief came to me and asked me to look at ways that we could generate some revenues from certain functions that we do that are mandated by state statute and the result of that is before you in the ordinance that are proposing. This ordinance provides revenues for some of the fire department activities. Now let me preface this by saying that this is not... We are not generating fees for putting out fires. We are not generating fees for doing any emergency type of activities. These are for the functions of the Fire Prevention Bureau that we are mandated to do by state statute and those functions are plan reviews, building inspections and different fire prevention and fire safety issues.

We're going to generate fees in four areas. The first area will be fees for conducting construction document reviews for building construction, addition, renovations and changes of use projects. We are required to perform plan reviews for all the construction documents for those projects but until we have this ordinance we cannot generate any fees for that as the building department can. We are also going to generate fees for field inspections for completed building construction projects. These are the final inspections. We spend hours out in the field inspecting and testing fire alarm systems and fire and sprinkler systems and doing the final inspections on the buildings. The third area is fees for fire prevention permits that are issued for specific operations and hazardous processes, for example roofing tar kettles, heat-treating facilities, pyrotechnics before a proximate audience which are... Those type of devices were responsible for the Station Nightclub fire. And the fourth area is fees for the issuance of annual occupancy permits for buildings that are under jurisdiction

of the Fire Marshall's Office and these are typically non-one and two family dwellings. None of the fees that we are proposing here affect one and two family dwellings or the owners of one and two family dwellings. They're all associated mostly with commercial property. The proposal does not levy any fees for the construction of one or two family dwellings and outbuildings. The proposal does not level any fees for one and two family dwellings at all unless they are operating one of those issues that are identified in our proposal as being in the...I'm sorry, under the operation permit fee table. If those... If what they're doing in a one or two family dwelling is not in that table there is no fee. Typical one and two family dwellings will not receive any...are not effected by this at all. The proposal does establish reasonable user fees for fire prevention activities.

Now the proposed revenues... If I took a look just in the building...just in the construction plan review fee schedule and I applied it to the building permits that were issued for these affected properties since June 1, 2008 we would have received approximately \$291,000 of additional revenues. That's just in that plan review fee for new construction, addition and renovation projects. When we take a look at the second part of that new construction fee, which are the final inspection fees, that would have generated approximately another \$20,000 of revenue so already in that we're over \$300,000 in revenues. The occupancy and fire prevent permit fees, it's difficult for me to approximate right now but I think we should be able to bring in an additional \$250,000 of fees. Our current operation in the Fire Marshall's office costs about \$406,000. That's for staffing and our normal routine office expenses. The projected start-up fees for this proposal is...we're estimating between \$5000 and \$8000 for mailings, for printing of the different permits and the paperwork things that we need to do and possibly some small amount of staff overtime hours for data entry and to set up the process. I'd be happy to entertain any questions.

President Slifka: Thank you, Chief Sinsigalli. Are there any questions for the Chief? Dr. Thornberry?

Councilor Thornberry: These are new fees, are they not?

Assistant Chief Sinsigalli: Yes, they are.

Councilor Thornberry: They did not... And so the work that you did in those four areas that you explained were things that you did before but as a normal course of work.

Assistant Chief Sinsigalli: Yes, they are.

Councilor Thornberry: As you go forward, if we approve these fees will you be collecting any kind of work data on what you're doing as compared to the yearly collection of those fees to make sure that there's a relationship between what's collected and the percentage of work in that particular area?

Assistant Chief Sinsigalli: The permit... I think you're asking are we going to be doing any more work because of the permit fees or... Right now we have full accountability of

everything that happens in the Fire Marshall's office. Every inspection, every plan review, every abatement order is logged so I can tell you exactly right now, had I prepared for it, I can tell you how many plan reviews we've done, how many inspections we've done, how many violations that we've corrected either through inspection or through the plan review process. We always keep those records and we will be able to tell you exactly how much revenue that we've brought in from this so I'm...

Chief Austin: Could I also add to this?

President Slifka: Chief, we need you to come up to the mike please.

Chief Austin: Good evening. I'm Bill Austin, the Fire Chief. Let me add in reference to your question Councilman. The way that we intend to do this... First of all keep in mind that this is transferring the fees from the property owners to the people who actually use the service. Second of all, we would like for this to be set up as an enterprise...in an enterprise basis so that we can graphically show you in great detail exactly what is being charged and what's being collected and the fact that it's either paying for itself or it's not paying for itself and I think some of that data that we would be providing in that reference would answer all the questions about whether it makes sense to do this or not.

Councilor Thornberry: Let me ask the question in a...I guess in a slightly different way. I think what I was asking was to make sure that one of these operations wasn't taking...wasn't bearing the cost of others. So let me ask the question in a different way. When you were thinking about the fees and what to charge for different activities, what went into your thinking as to how much to charge as a fee? I don't expect it to be fully 100% recovered. This is part of your work but generally how did you go about it?

Assistant Chief Sinsigalli: Dr. Thornberry, what I did was I took a look at how I normally operate and how long it takes me to do a specific function, like for example an inspection of an average three family dwelling and the fee reflects that time. And, you know, pretty much the minimum fee is \$30 and the maximum fee is \$340 depending upon the nature of the occupancy so I tried to draw a relationship to the time required to do the inspection, do the research and do the report to what that fee is.

Councilor Thornberry: Thank you.

Assistant Chief Sinsigalli: Okay.

President Slifka: Thank you, Dr. Thornberry. Any other questions? Mr. Adler?

Councilor Adler: Thank you, Mr. Mayor. A couple of... Just a couple of quick questions. Are any of these fees renewal, annual renewal, or are these all primarily one time fees?

Assistant Chief Sinsigalli: Oh, no. Mr. Adler, if you have the...if you have the fee schedule...if you have the...

Councilor Adler: I do.

Assistant Chief Sinsigalli: ...in front of you if you take a look at... If you take a look at the occupancy permit fee table regarding its... It's just above Section 87-7 where it talks about penalties for offenses the occupancy permit... These will be renewable. The operation permit fee table for the fire prevention permits will be annually renewed. The occupancy permit fees for the different occupancies will be...that are found on the second table based upon the occupancy type you'll see four columns. One is an annual renewal. Another one is a biannual, a triannual and a quad...sorry, quadrennial renewal. For example, a factory would be renewed every four years. A business occupancy such as an insurance company would be every three years so if we have a small insurance company like a 3000 square foot small office that would be \$60 every three years.

Councilor Adler: Okay. Thank you. Just two more quick questions. With respect to the fee table, how are we comparatively against other municipalities in terms of fees?

Assistant Chief Sinsigalli: Well, I can tell you that this fee table... I've been part of an ad hoc committee with the Connecticut Council of Municipalities that has been developing this and this is based off of what we are developing except I redid the fees for our time but they are not... If anything, they are a little bit less in some areas. Mansfield just passed the portion for the construction...the construction portion with the exact same fee schedule which is a percentage of the building permit fees.

Councilor Adler: And just one other... Thank you. And just one last question. I'm working with... I'm on the Admin. and Technology subcommittee working with Deputy Mayor Brennan and we're working on improving the website in town so can we give some thought at some point about some sort of self-service opportunities to maybe kind of narrow down or reduce some of the distribution costs?

Assistant Chief Sinsigalli: Absolutely.

Councilor Adler: And I know you need signatures, web signatures and things like that but maybe, you know, from a PDF standpoint or, you know, I think we just need to be mindful about that. You know? If it's an opportunity maybe the Deputy Mayor would invite you to the committee and kind of get your thoughts on that.

Assistant Chief Sinsigalli: Oh absolutely. I'd love to.

President Slifka: Thank you, Mr. Adler. Mr. Davidoff?

Councilor Davidoff: Thank you, Mr. Mayor. Through you. I have two pretty specific questions. The first deals with there's an exemption in 87-8 that agencies of the Town of West Hartford and the Board of Education are exempt from the fee but definitely have to get the permit. I had a question with respect to the afterschool programs which operate in

our elementary schools. Would they be subject to the fee or would they have to get a permit under the occupancy?

Assistant Chief Sinsigalli: If the occupancy is a town entity or... No, they would not have to.

Councilor Davidoff: Well, they're not.

Assistant Chief Sinsigalli: So if... So then they would have to get the fee but it would only be... For example, the before and after daycare program? Okay. That would be... They would... If they are a private entity they would be responsible for the fee.

Councilor Davidoff: Okay. The reason I ask is that I do serve on a board of an organization that would then be subject to the fee so I just want to disclose that. The other is when people lease the space here in the Town Hall, in the auditorium, how would that work in terms of whether it be a fifth grade dinner, it be an exhibit by the Chamber or things of that nature or someone's having a catered function where obviously there's no cooking facilities here so would that require a permit every single time?

Assistant Chief Sinsigalli No. No. No it would not.

President Slifka: Thank you, Mr. Davidoff. Any further questions? Okay. Thank you to both chiefs.

Assistant Chief Sinsigalli: Thank you gentlemen and ladies.

President Slifka: And Mr. Alair, I'm sensing nobody signed up but I'd like to check. No one signed up? I think I know the answer to this but I will ask for full disclosure. Is there anybody who did not sign up who wishes to speak to the subject matter of this Public Hearing? Don't all get up at once. Okay, with that, one more chance for the Council. Seeing none, Mr. Van Winkle, did you have anything to add to the presentation? No, well then with that we will close the Public Hearing.

Hearing adjourned at 7:31 p.m.

Essie S. Labrot
Town Clerk/Council Clerk

/sab

