

MINUTES
REGULAR MEETING OF BOARD OF DIRECTORS
JUNE 8, 1999
LINCOLN CENTER HEARING ROOM

SECOND MEETING OF THE MONTH
7:30 P.M.

PRESENT: Chairman Cassano, Vice-Chairman Howroyd Secretary Negri, Directors Morancey, Hachadourian, McMahon, Crockett, and Becker.

ALSO: General Manager Sartor, Deputy Manager Werbner and Town Attorney Darby (arrived at 8:02).

ABSENT: Director Thompson.

11. MEETING CALLED TO ORDER.

The meeting was called to order at 7:36 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Chairman Cassano. A reminder was given of a meeting on June 15th at 7:30 p.m. of the architects' report regarding the school bond referendum that will be televised. The Board of Directors will be expected to take an action on the following Tuesday to vote on an amount of money to be spent over the next two years as part of the requirement for reimbursement from the State of Connecticut. This will not be a vote on the amount of money for the bond issue.

12. OPENING OF MEETING TO ELECTORS OR TAXPAYERS WHO WISH TO BE HEARD ON ANY SUBJECT WITHIN THE JURISDICTION OF THE BOARD OF DIRECTORS.

Al Lutz, 9 Stephens Road, addressed the topic of school building requirements. He passed out a handout that he felt was a better educational plan.

Terry Werkhoven, 88 Santina Drive, asked regarding the dog ordinance amendment. He spoke about the fire museum roof. He also spoke regarding the school bond issue.

Chairman Cassano read a dog ordinance that was passed in 1978 requiring that owners remove all feces left before leaving an area. He requested that citizens cooperate and call the Town when this ordinance is being ignored. Signs are also being posted in many areas.

Joseph Rafala, 58 Hawthorne Street, spoke regarding the Manchester Land Trust.

William Ogden, 137 Branford Street, spoke against replacing the fire museum roof. He also spoke regarding the Manchester Land Trust.

Dan Moran, 272 Charter Oak Street, requested that they postpone the evaluation of the General Manager until someone investigates problems within town personnel.

Chairman Cassano closed the public hearing at this time.

12A. TOWN PLAYGROUND COMMITTEE RESTORATION REPORT.

It was acknowledged that this report is still in preparation and would not be heard at this time.

13. COMMUNICATIONS.

Director Becker acknowledged a letter from Alan Rosetto involving a concern he had regarding his property on Spruce Street. It will be looked into.

Town Attorney Darby gave an opinion regarding an action that this Board took in May. The essence of the question was that the Board adopted a education budget for the Board of Education that was funded in full. In addition to that, this Board in the General Fund budget allocated \$100,000 for the purpose of, if the Board of Education wished, could submit a program or a study to help address the drop-out at the high school. The question that has been raised was that in adopting that \$100,000 item in the General Fund budget there was a violation of Connecticut General Statutes 10-222. That is a statute that prohibits the policy making board for the town from telling the Board of Education how to spend their money. Attorney Darby came to the conclusion that the Board did not violate CGS 10-222. His rationale was that the Board was not telling them how to spend their money, but if they wanted the money they could come to the Board, offer a program or presentation, and ask for the money. The Board may not tell them how to spend it after they give it to them. His other rationale was that the Board already had funded the Board of Education's budget in full.

Director Becker read an excerpt from the actual budget adoption and asked Attorney Darby to comment. He thought that conditions in effect told the Board of Education how to spend this money.

Attorney Darby had a copy of the excerpt also and stated that Director Becker left off the beginning which stated that this year it is the position of the Democratic Board to fully fund all the educational requests and in addition offer \$100,000 for the increase of the graduation rate from the high school, etc. The problem here was that the Board of Education did not ask for that money, the Board gave them everything they asked for and the Board then had another idea.

Vice-Chairman Howroyd stated that it was not the intention of any of the directors to exceed the authority vested under state statute, and in fact, this was a good faith effort to address one of the major problems facing our community.

Chairman Cassano reminded the public of the comment sessions for this month.

14. REPORTS.

Secretary Negri gave a report on the Pride in Manchester week.

- a. Abatement of past due taxes for Manchester Land Trust property known as 429 Buckland Hills Drive - Town Attorney.

Town Attorney Darby passed out a report that he prepared for this item. He gave a summary on the background of this issue that has been ongoing for some time. He stated that there is a statute that permits the Board of Directors to forgive those taxes. In the future the Town would prefer to be consulted before the Manchester Land Trust except land in Manchester. The Manchester Land Trust has agreed to do that. The Manchester Land Trust would like the Board to consider to abate those taxes due on this property. Questions were asked by Board members.

Chairman Cassano asked Attorney for the Land Trust Barlow to put together a history of the tax appeal process they went through and bring it back to the Board next month.

- b. Risk Management Plan - Water and Wastewater Facilities.

Robert Young, Administrator of Water & Sewer, referred to a May 20th report concerning a Risk Management Plan and a Process Safety Management Plan that came out of new requirements of the Clean Air Act. A consultant is performing the Risk Management Plan currently and they are also studying alternatives to determine which is the most cost effective. He stated that they would be back to the Board in the future to finance the additional cost to do the design and construction of feasible alternatives. In the interim they are continuing to proceed with the formulation of the Risk Management Plan and will meet the June deadline for submission to the EPA of the registration required. Questions were asked by Board members at this time.

16. NEW BUSINESS.

- f. **ADOPTED AS AMENDED** - Consideration of authorizing the Library Board's request that surplus funds in the Library's Operating Budget be designated in Fund Balance for future allocation pursuant to the memorandum of Director of Finance dated May 24, 1999 and re-appropriated to the Library's allocation in the Capital Improvement Reserve Fund upon completion of the Town Audit Report.

Director of Finance Desmarais explained the accounting process to accomplish what the Library

was requesting. Questions of Board members were entertained.

A substitution motion was offered and incorporated in the above amendment.

Vice-Chairman Howroyd moved and Director Becker seconded a motion to adopt Item 16.f. as amended. Eight voted in favor.

- g. Appointment of members to the Property Maintenance Code of Appeals Board.

APPOINTED:

Timothy J. Connelly, 26 Sage Drive, (R) (a voting member)

James A. Bostock, 444 Middle Turnpike West, Unit 70-U, (R) (alternate)

Gary H. Benson, 28 Gardner Street West, (Unaffiliated)

TABLED:

Three appointments

Director Crockett moved and Director Becker seconded a motion to appoint three members and table three appointments to the Property Maintenance Code of Appeals Board. Eight voted in favor.

- h. **ADOPTED** - Authorization for the General Manager to enter into an agreement with the Town of Manchester Redevelopment Agency for the acceptance of a loan from the State's Special Contaminated Properties Remediation Insurance Fund (SCPRIFF) for an evaluation of the former Morland Valve property on Tolland Turnpike.

Mark Pellegrini, Director of Development and Planning, stated that the impetus for this request is that there is a property at 1404 and 1414 Tolland Turnpike which is vacant and slowly deteriorating. He would like to identify the exact extent of the contamination, identify and develop a remediation plan so that a reasonable value can be established for the tax lien and then negotiate the sale of the tax lien. Parties are presently interested in the property. The arrangement would be that the Board would effectively hire the Redevelopment Agency as its agent to in turn except loan funds from the state and hire environmental professionals to conduct the assessments and site investigations. There would be a provision that if the tax lien is not sold, the loan would not have to be paid back to the state. Questions were asked by Board members.

Secretary Negri moved and Vice-Chairman Howroyd seconded a motion to adopt Item 16.h. Eight voted in favor.

- i. **APPROVED AS AMENDED** - Approval of permanent financing using the option of negotiated sale for the Highland Street Fire Station work authorized in 1994.

Director of Finance Desmarais discussed several alternatives for permanent financing of the Highland Street Fire Station which were disclosed in a memo from bond counsel. The Financial Advisor's analysis was also attached in a memo from Mr. Desmarais. Our Financial Advisor from Fleet Securities and Bond Counsel from Updike, Kelly and Spellacy who had prepared the report for the Board were present. It was determined that the option of the negotiated private placement was the most advantageous to the Town. This was followed by a question and answer period by Board members. An amendment to add the method of financing was made to the original item as stated above.

Secretary Negri moved and Vice-Chairman Howroyd seconded a motion to approve Item 16.i. as amended. Eight voted in favor.

- j. **APPROVED** - Approval of revised job description for the positions of Librarian I and Para Professional.

Secretary Negri moved and Vice-Chairman Howroyd seconded a motion to approve Item 16.j. Eight voted in favor.

17. FURTHER COMMENT AND DISCUSSION BY BOARD MEMBERS ON ITEMS FOR FUTURE AGENDA OR OF GENERAL CONCERN.

Director Crockett stated that he felt that the plans for the new school project should be displayed publicly as requested by Al Lutz. He asked for a Y2K report.

Director Hachadourian suggested that an event should be planned to honor volunteers for the Town. There was a short discussion of what could be done.

Director Becker requested a sidewalk report. Chairman Cassano thought that the sidewalk priority system should be updated periodically to incorporate new schools, elderly housing, etc. The original report from 1990 will be distributed to all Board members. Director Becker asked that Public Works Director Lozis look at ways to accelerate or fund the program to get it working more efficiently.

Vice-Chairman Howroyd brought to the attention of the Board the first phase of the Buckland Street beautification project. He announced that the Water Department has been constructing a small parking area off of Ferguson Road to provide passive recreation activities in the watershed area.

Director Morancey asked if the study for Library parking had been completed. General Manager Sartor stated that a report should be completed by September.

18. ADJOURNMENT.

Vice-Chairman Howroyd moved and Director Crockett seconded a motion to adjourn the meeting to July 6, 1999 at 7:30 p.m.

Adjournment : 10:05 p.m.
/jld

APPROVED:

ATTEST:

SECRETARY, BOARD OF DIRECTORS
MANCHESTER, CONNECTICUT