

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**January 17, 2006 – 7:00 P.M.**  
**LINCOLN CENTER HEARING ROOM**  
**SECOND MEETING OF THE MONTH**

**PRESENT:** Chairman Howroyd, Vice Chairman O’Neill, Secretary Zingler, Directors Hachey, Sheridan, Topping, Spadaccini, Peak and Pelletier

**ALSO:** Acting General Manager O’Neil and Town Attorney Darby

**7. MEETING CALLED TO ORDER.**

The meeting was called to order at 7:03 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Chairman Howroyd.

**9. ADOPTION OF MINUTES OF PREVIOUS MEETING.**

- A. **ADOPTED** – Actions, December 13, 2005 – Regular Meeting
- B. **ADOPTED** – Minutes, December 17, 2005 – Executive Session
- C. **ADOPTED** – Minutes, December 18, 2005 – Executive Session
- D. **ADOPTED** – Minutes, July 5, 2005 – Regular Meeting

**Secretary Zingler moved and Vice-Chairman O’Neill seconded the motion.**

**Nine Voted in Favor**

**10. COMMUNICATIONS.**

**Director Zingler** received a memo from Vivian Ferguson thanking the Board for her appointment as Town Historian.

**Director Pelletier** stated she received a request from the Board of Education Chair, Mrs. Hackett concerned that Director Pelletier’s comments during the last meeting mischaracterized Mrs. Hackett’s remarks when Director Pelletier questioned her assurance to the Board of Education concerning the Board’s role in potential lawsuit decisions of the Connecticut Coalition for Justice in Education Funding (CCJEF) lawsuit. For the benefit of all Board members, Director Pelletier has supplied copies of her comments and those made by the Board of Education on January 9 for clarification.

**Director Hachey** stated Director Pelletier’s handout does not correct the error.

**Director Pelletier** stated Director Hachey is perfectly free to draw his own conclusion. She stands by her statements.

**Director Sheridan** made a point of order. This is the communication section of the agenda.

**Director Hachey** asked for two minutes to defend the Chairman of the Board of Education.

**Chairman Howroyd** believes Director Sheridan’s point is well taken. This item would be more appropriate for discussion under Item 17.

**Chairman Howroyd** received two endorsements of the Living Wage Ordinance.

## 11. REPORTS.

**Acting General Manager O’Neil** did not have any formal reports this evening. He reminded the Board of the Chamber of Commerce reception for the newly elected Board on Thursday, January 26 at 8 a.m. at the Chamber office. He followed up with Director Pelletier’s request for authority for the Board of Education to participate in a lawsuit separate and apart from the Town. He referred to CT General Statute 10-241, which identifies all school districts as a body corporate having the power to sue and be sued. He contacted CCJEF asking them to send him copy of the complaint. Neither the Town of Manchester nor the Board of Education is a named plaintiff in that lawsuit. He further stated he enjoyed serving the Board as Acting General Manager and publicly acknowledged Dede Moore and Louise Guarnaccia for their efforts during this time.

## 14. UNFINISHED BUSINESS.

- A. **REMOVED**-Establishment of specific budget guidelines for the preparation of the 2006/2007 budget.

**Director Sheridan moved and Vice-Chairman O’Neill seconded the motion.**

**Nine Voted in Favor**

- B. **ADOPTED**-Appointments to Boards and Commissions which have members with terms expiring in November/December 2005. *\*T represents appointments that were tabled, \*R represents reappointments, \*A represents newly appointed members to Boards and Commissions.*

<u>Board/Commission</u>	<u>Name</u>	<u>Term Expiring</u>
Auditor	T-Vacancy	November 2007
Cable TV Advisory Committee	T-Vacancy (Library Board Appointment)	July 2007
Cheney Hall Board of Commissioners	T-Vacancy	November 2008
Commission on Aging	A-John Prytko, 224 Saddlehill Rd (R) A-Geoff Luxenberg, 345 Buckland Hills Dr, Apt 9121 (D) T-Charlene Southergill, 8 Hendee Rd (R)	November 2008 November 2008 November 2008
Fair Rent Commission	A-Keith Podrebartz, 15 Williams St (R) T-Vincent Diana, 1091 Main St (R)	November 2008 November 2008
Human Relations Commission	A-Seth Johnson, 90 Lake St (R) T-Alfred Meek, 124B2 Park St (R)	November 2008 November 2008
Redevelopment Agency	A-Dan Moran, 145 Chestnut St (R)	November 2010
Zoning Board of Appeals – Alternate	A-Paul Harnois, 285 Lake St (R)	November 2010

**Director Spadaccini moved and Secretary Zingler seconded the motion.**

**Nine Voted in Favor**

**15. NEW BUSINESS.**

A. **ADOPTED** – Amendment to Rules of Procedure.

**RULE 19**  
**Standing Committees**

- 19.1 The Board of Directors may establish one or more Standing Committees to consider such matters as the Board of Directors may, upon request of three or more members, refer or assign to a committee for further study, deliberation or recommendation.
- 19.2 Each Standing Committee shall consist of three members. For each Standing Committee, the Majority shall appoint two members, and the Minority shall appoint one member.
- 19.3 Each Standing Committee shall select one of its members to act as its Chair. No Chair shall have or exert any greater authority or power than any other member of such Standing Committee, except as herein otherwise provided. The Chair shall preside at Standing Committee meetings and shall report any actions and recommendations of the Standing Committee to the Board.
- 19.4 A Standing Committee may meet at any time convenient to its members and at any place accessible to the public. The Chair shall cause each member of the Standing Committee to be notified of any such meeting, giving the time and place thereof. A majority of any Standing Committee shall be sufficient to proceed to business.
- 19.5 All Standing Committee meetings shall be public meetings, and timely notice of any such meeting shall be given to the public. No business of any Standing Committee shall be decided outside of a meeting. All actions taken and recommendations made by a Standing Committee shall be reported to the Board in accordance with Section 10.1 of these Rules.
- 19.6 No Standing Committee, regardless of any ambiguity of any written rule which may exist with respect to its organization or operation, shall have, or exercise, or arrogate to itself unilaterally, those powers, duties, and responsibilities properly reserved to the Board of Directors.

**Director Sheridan moved and Vice-Chairman O’Neill seconded the motion.**

**Nine Voted in Favor**

B. **ADOPTED** – Appointment of a regular member, Horace Brown, Planning and Zoning Commission and an alternate member, Clarence Zachery, Planning and Zoning Commission to the CRCOG Regional Planning Commission.

**Secretary Zingler moved and Director Topping seconded the motion.**

**Nine Voted in Favor**

F. **REMOVED** – Allocation in Water Reserve – Instrumentation.....\$2,000.00 for radio communication consulting related to the Garth Road cellular tower to be

funded by Unallocated.

**Director Spadaccini** recused himself from discussion and the vote on this matter due to a conflict of interest.

**Director Sheridan** stated this item should be removed from the agenda for the following reasons: (1) we are a long way from the need to appropriate \$2000 to hire a consultant for siting radio communication equipment on a cellular tower; we are a long way from making a decision that we are going to have a cellular tower on town-owned land; we are a long way from making a decision that we are going to have a cellular tower on town-owned land adjacent to Garth Road; and we are a long way from making a decision that the particular cell tower, wherever it may be, will have town communication equipment on it. This is putting the cart a mile before the horse. If we decide to do this, he doesn't see that the Town should have to pay a consultant. The people who are making a profit off this particular tower should fund the entire cost.

**Director Peak** appreciated Director Sheridan's comments. He supported the motion to remove this item from the agenda. We should be able to give Garth Road residents some greater assurances that we will have a meaningful discussion about this later on.

**Director Peak** asked why this item was on the agenda to begin with. Chairman Howroyd replied this could have been done as an administrative action. This is an important policy question that the Board would like to make a determination that, if we are going to site a cell tower on any town property, we would like to have some public discussion in the future prior to the Town entering into an agreement. Acting General Manager O'Neil said this was not intended to be the night that they would vote to commit to this project. The cell tower proposal must not involve the expenditure of any Town funds.

**Director Topping** stated, by putting this on the agenda, it was an opportunity for the residents to become aware.

**Chairman Howroyd** would like to see more detailed analyses. The Board should try to make a determination that, if placed on public land, it is satisfactory to the neighborhood.

**Director Sheridan** said the Board should go slowly and examine all options by touching all bases.

**Director Sheridan moved and Director Topping seconded the motion.**

**Eight Voted in Favor  
One Abstention (Spadaccini)**

**G. ADOPTED** – Discussion and approval of modified land acquisition plan in association with the Bennet Middle School renovation.

**Louise Guarnaccia**, Director of Operations stated the Directors who were at the Building Committee meeting last week realized why this issue is coming up at this particular point in time. The Bennet project has approximately \$36 million allocated to it. Preliminary estimates indicate that we need to be very cautious with how we spend that \$36 million if we are to successfully complete the Bennet school renovation. As part of the referendum process there was \$2 million allocated for property acquisition in the area of Bennet. The intention of acquiring this property was to create a

green space contiguous to the Bennet property that would allow for physical education recess activities by the children attending Bennet and not force them to walk to the fields at Charter Oak. The \$2 million at the time the referendum budget was put together was felt to be sufficient for the acquisition of these properties. Owners were notified prior to the referendum so that they would not be surprised if the referendum passed that their properties had been targeted. After the conclusion of the referendum and after the Board had voted not to use eminent domain, owners were again notified that the Town was interested in acquiring the properties. Two individuals were interested in talking to the Town. It became clear, when looking at these two properties, \$2 million would not be sufficient to continue with additional acquisitions. As a result, the Town stepped back and took another look. What could we do to create space in the Bennet area that would meet the needs for parking and also meet the need for green space for the children. As a result, there is an alternate proposal for the Board's consideration tonight. The plan calls for abandoning the acquisition of property behind the school between Vine Street, Wells Street, and School Street. It calls for acquiring the building at 11 School Street, demolishing that building, the old fire station, the boiler plant building for Bennet and the Cheney building. All these properties taken together, once demolished, would account for approximately 1.3 acres of land. It would allow for the creation of approximately one-half soccer field in green space for sixth graders at the school. It would also create parking across the street from the school and get cars away from the building. The cost for acquiring, demolishing and site work is estimated at approximately \$1 million. That compares to the \$2 million that was set aside for property acquisition and approximately \$.5 million for demolition and site work in the other proposal. There would be a net savings to the Bennet budget of \$1.5 million. That is the proposal before you tonight.

**Director Zingler** supported demolition of the building.

**Director Topping** inquired about the approximate cost of renovating. Mrs. Guarnaccia replied she has no good estimate on what it will take to renovate the Cheney building.

**Vice-Chairman O'Neill** asked what is the value of the buildings. Mrs. Guarnaccia said she would get some educated guesses. Vice-Chairman O'Neill has a problem with tearing down a good building that does have code issues and but could have future use. She does not agree with the plan.

**Director Pelletier** toured the building. It definitely has some issues and she does not see a historical reason to keep it.

**Director Sheridan** received an explanation from Mrs. Guarnaccia that if the Cheney building remains, we would need to keep the boiler plant or find an alternate heating system for the building. She also stated that until a decision is made as to what property the Town will acquire, they could not finalize plans. The people who are designing this need to know what space they have available.

**Director Spadaccini** stated it is very obvious there are inadequate funds in the bond referendum. It's just not feasible. We would clearly be buying at the top of the market. We have done a lot to preserve the Bennet campus. We cannot go to extreme lengths to preserve all buildings.

**Director Peak** responded that tonight's proposal is very practical and he will support it.

**Director Zingler** received a response from Mrs. Guarnaccia that the owner of 11 School Street has not responded to the Town's letter.

**Vice-Chairman O'Neill** asked how are we going to address the elementary schools. We cannot tear down a building that we may need until questions are answered.

**Director Spadaccini** said when the bond passed, it did not state any grade configuration.

**Chairman Howroyd** added we have really established ourselves. He respects historic preservation, and we have demonstrated this. But, in order to make this educational square function for modern educational use, a fair amount of compromise is required. Let this project move forward.

**Director Topping moved and Director Sheridan seconded the motion.**

**Eight Voted in Favor  
One Voted Against (O'Neill)**

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

**Joe Bernard**, 28 Teresa Road commented on the condition of his sidewalks, the insecure bridge in the Nature Center and a fallen tree in back of the Nature Center building. He asked what would be done.

**Andrea Webber**, 88 Church Street explained that the tree still stands. She has signed a permission letter allowing the tree contractor access to her property. She would still like to see a hazardous tree ordinance.

**Bill Ogden**, 137 Branford Street said we certainly do have a problem with brooks, water and bridges. The heating system at Bennet was one of the finest and it should not be removed.

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

**Vice-Chairman O'Neill** mentioned that the Future Farmers of America would like to work in Center Springs Park and, in particular, the Valley Street Ball Park. She would like to see the Board of Education, the Building Committee and the Board of Directors come up with a plan to get their arms around the total school system projects.

**Director Hachey** spoke of the flooding on 56 Girard Street and was pleased to see that the Town plans to put this in their Capital Plan. He spoke of a tax payment plan for the elderly, congratulated Public Works for plowing, the Martin Luther King commemoration, police retirements, and the inaccurate statement made with regard to the BOE chairperson's comments.

**Director Sheridan** said the Board would be hearing from CCJEF next month with a request for \$8500. Director Sheridan asked where Town staff is going to find \$8500. He also congratulated the firefighters for doing a tremendous job over the last several weeks.

**Director Zingler** announced Pride in Manchester Week. He echoed the concerns of Vice-Chairman O'Neill to work together with the Board of Education with the displacement of the building and

grounds maintenance crews.

**Alan Desmarais**, Director of Finance provided an accounting of the accident with fire truck #4. The initial estimate of damage is \$30-40,000. This piece of apparatus will be offline for two months.

**Director Spadaccini** said before this Board files a lawsuit against our State legislators, we should invite them here to explain what is going on in the legislature on education funding. He would like a referral to the Ethics Commission for the task of putting together a code of ethics beyond what is already stated in the Charter. Director Spadaccini has received a resident request to separate Planning and Zoning from the Wetlands Commission.

**Director Pelletier** commented on tweaking the property maintenance code. She also discussed the efficient use of Board time, as well as Town staff attendance at Board meetings.

**Director Peak** asked if the Board should discuss the requirement of disclosure of insurance information. He also asked Mrs. Guarnaccia to explore options of getting Channel 16 out to viewers.

**Director Zingler** gave a brief explanation of Webcast.

**Director Peak** asked if there is a plan to put in a new elevator in the Cheney building. Mrs. Guarnaccia confirmed that the elevator has some serious issues, but there are no plans to replace it. Director Peak suggested, in future budget preparation, another line item separating health benefits from other benefits.

**Chairman Howroyd** said there is an effort to draft an ordinance regarding a living wage ordinance. Also, the education funding legal action will be a formal agenda item for February.

## 18. ADJOURNMENT.

The meeting was adjourned until the February 7, 2006 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

**Vice-Chairman O'Neill moved and Director Topping seconded the motion to adjourn.**

**Eight Voted in Favor  
(Zingler out of the room)**

**Adjournment: 9:30 p.m.**

**vbp**

**APPROVE:**

**ATTEST:**

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**Secretary, Manchester Board of Directors**