

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
February 7, 2006 – 7:00 P.M.
LINCOLN CENTER HEARING ROOM

FIRST MEETING OF THE MONTH

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

ALSO: General Manager Shanley and Town Attorney Darby

1. MEETING CALLED TO ORDER.

The meeting was called to order at 7:06 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Chairman Howroyd.

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

Chairman Howroyd reviewed the Rules of Procedure for public comment. Given the large number of speakers this evening, each person will be limited to three minutes per general public comment. Only residents of Manchester or taxpayers are permitted to speak before the Board. When you are called to speak, please state your name and your address for the record. If you are interested in speaking on the living wage, the Greenwood Road sewers, or any other item under Item 3 on the agenda, comments should be deferred until those specific items are called later on. In exchange, public comment will be limited to three minutes. If you defer your time and speak only on the public hearing items, five minutes will be granted for those who wait. This only applies to specific agenda items for public hearing.

ADOPTED – MOTION TO SUSPEND THE RULES TO EXCEED THE ONE-HOUR TIME LIMIT AVAILABLE FOR PUBLIC COMMENTS.

Director Topping moved and Director Peak seconded the motion.

Nine Voted in Favor

Bonnie Schuetz, 12 Conway Road spoke about Broad Street/Parkade, water drainage on Weaver Road, and the sidewalk ordinance regarding snow removal.

Joseph Rafala, 58 Hawthorne Street elaborated on the tax abatement agreement dated July 14, 1999 and land acquisitions by the Manchester Land Trust.

Doris Thompson, 97 Maple Street has lived here all her life. The pride in Manchester is tarnished by the opening of the V.I.P. Lounge.

David Mullen, 315 Henry Street said as a pastor he works with the dark side of people's lives. He has never seen any good come from pornography. He encouraged the Board to prohibit this.

Art Carone, 53 Carman Road opposed the V.I.P. Lounge, addressed the living wage ordinance and its impact on employers. If you want to better your life, get an education.

Jennifer Napoli, 63 Henry Street said school busses would pass the V.I.P. every day. She also quoted an article from The Hartford Courant regarding pornography at UConn.

Gerard Napoli, 63 Henry Street said an ordinance should have been passed years ago by the Board of Directors to keep businesses of this nature out of the community.

Sarah Edwards, 329 Kennedy Road said she is in favor of the living wage and in opposition of establishments that promote pornography finding a home in Manchester.

Dave Mix, 16 Oakland Terrace has lived here fifteen years and he doesn't want to look at people going into the V.I.P. This is totally unacceptable. It should go through Zoning.

Eileen Sweeney, 86 Hawthorne Street opposed the 1/17/06 Board vote to demolish properties on School Street, including the Hose Company, the Boiler Plant, and Howell-Cheney Technical.

Mary Dunne, 117 Adelaide Road, on behalf of the Manchester Historical Society, opposes the recent decision of the Town Directors to demolish buildings at 19, 39 and 41 School Street.

John Dormer, 58 Patriot Lane commented these buildings are all within a historic district. Little information has been released to the public concerning the requirements of space for this project.

Dorothy Brindamour, 6 Morse Road said she could not recall the demolition of three buildings in the referendum that she voted on. She suggested the State architect look at these buildings.

Alyssa Cooper, 79 Oak Street spoke on minimum wages. She has a full-time job paying \$7.50 an hour. She is a single mother with three children. She cannot afford paying for school field trips.

Tara Latawic, 21 Golway Street is concerned with the drastic reduction of books, videos and audiocassettes in the Whiton Library. The space is not being used for additional new books.

Diane DeJoannis, 280 Scott Drive supports the living wage. She would like to see tax dollars fund jobs with livable wages. She also disagrees with the establishment of the V.I.P. store.

Jennifer DiMauro, 194 Fern Street spoke against the V.I.P. Lounge. What a shame it will be if Manchester becomes known as a favorite haunt for every king of elicit appetite and activity.

Tim Tretter, 15 Oakland Terrace opposes the V.I.P. Lounge. He was informed by Town Hall that it's done. He encouraged the Board to find a way not to allow this to happen in Manchester.

Pete Adamy, 9 Oakland Terrace lives across the street where the V.I.P. will be located. He has lived here forty years. Manchester does not need anything to taint its image. Try to stop this.

Ken Burkamp, 811 Main Street is a resident of sixty-five years and former student at Cheney Tech. The Board should rescind their vote to tear down this building.

Mike Policastro, 162 Grissom Road said all sexually oriented businesses have a negative effect on immediate environs. The Town should do everything legally possible to block their entry.

Kitty Tesi, 38 Canterbury Street read comments from a book opposing viewpoints on the effects of porn. She said it may not be against the Town's law, but it is certainly against God's law.

Joel Waldron, 440 Oakland Street voiced concern over the V.I.P., which plans to open near his business. He urged the Board to do what they can to keep this establishment from moving here.

Joseph Bernard, 28 Teresa Road said the brooks in Town are eating up their property. No one is being held responsible. Sidewalks are cracked; the Board doesn't care about Town residents.

Kathy Anderson, 107 West Street inquired how it came about that the V.I.P. is coming to Manchester. The Town needs businesses with integrity.

John Ryan, 42 Hollister Street said we have to be careful that government does what it is supposed to do to interact with the economy to make society better. Do what you have to do.

Kimberly Johnson, 86 Green Road voted for several Board members. Please take your authority and do what you need to do to keep this type of business out of Manchester.

Leslie Frye, 30 Florence Street spoke of violent incidents at the Mall; the Town's plan for the Bennet project; the certain businesses coming to Town; and she is opposed to a tree ordinance.

Chairman Howroyd acknowledged two petitions opposing the V.I.P. Lounge. This Board is taking this issue very seriously; they do not approve these businesses; they do not approve of these businesses, and they are exploring any and all legal options.

Director Spadaccini suggested the Town Attorney make his report at this time.

Town Attorney Darby explained the need to bear in mind a few things when you are looking at this kind of situation. No one gave permission for them to be there. This blindsided everyone. They showed up on our doorstep. They showed up with a request to our Zoning Enforcement Officer for a Certificate of Zoning Compliance as part of obtaining a building permit in town. This is not an application for a zoning approval. What they are proposing to do does not require them to go to any zoning commission. Unfortunately, the location is zoned for commercial business. People will not be happy with the message. You will lose if you pass a blanket ordinance. This is going to require some thought and we will look at developing a moratorium with the Planning and Zoning Commission. There is a lot of money in this business and whatever we do is going to be challenged.

3. PUBLIC HEARINGS.

- A. Approval of an ordinance establishing a living wage requirement. A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

Director Sheridan explained there is a sizable constituency in town that was disappointed with the outcome of the last Board's consideration of the living wage ordinance. They have approached this Board to reconsider this subject and put an ordinance out for a vote. This is not

an item for action tonight or next week. People's concerns will be collected and submitted to a standing committee of the Board.

Chairman Howroyd explained those who waited to comment specifically at this time be allowed five minutes per person to speak as opposed to the three minutes for public hearings.

ADOPTED – MOTION TO SUSPEND THE RULES TO ALLOW FIVE MINUTES EACH FOR PUBLIC TO SPEAK ON ALL PUBLIC HEARING ITEMS.

Director Peak moved and Director Topping seconded the motion.

Nine Voted in Favor

Chairman Howroyd opened the floor for public comment at this time.

Tony Walter, 63 Dunlop Street is a member of the Living Wage Coalition. He presented 250 cards from Manchester residents, which show support for this ordinance. Working Families is an organization committed to living wage jobs, quality affordable health care, affordable housing and great schools in communities. They are the organization that put this coalition together. The hourly wage for this living wage ordinance would be \$11.06 an hour, or \$3 an hour added in lieu of health care. This is an opportunity to show bi-partisan support.

Sue O'Connor, Greater Manchester Chamber of Commerce had a long statement in opposition to the proposed living wage ordinance from their five hundred-member organization, which has been supplied to the Board and distributed to the media. Time restraints do not allow it to be presented tonight. The proposed living wage ordinance would cripple Manchester's ability to bring development and redevelopment dollars to town. The Chamber of Commerce challenges the Board to put a price tag on this. A living wage ordinance will have adverse effects.

Michael Pohl, 157 Brookfield Street spoke on the living wage ordinance. He said 900 of Manchester's families are at the poverty level. This ordinance needs to be passed.

John Ryan, 42 Hollister Street encouraged the Board to adopt the living wage ordinance. The minimum wage levels that exist are ridiculous. Let's put something on the table that moves in the right direction. People who work hard should be able to support their families.

Justin Giovani, 215 Kennedy Road spoke in support of his mother who is working hard for the living wage ordinance. His family is helping a good friend who is trying to raise her family, while working a full-time job and looking for a part-time job. She is just scraping by living like this, even though she is working very hard. Living in a community means charity and good will.

Jackie Campion, 248 Woodbridge Street supports the living wage. The typical worker today earns less than in 1973, after adjusting for inflation. The growing number of working poor is tearing apart the traditional American ethic that says if you work hard, you'll get ahead. Over 25% of jobs in the United States pay less than \$8 an hour, which is far less than what is needed to raise a family of four above the federal poverty level. A living wage policy will help raise workers out of poverty and it becomes a tool for economic development.

Joe Bernard, 23 Teresa Road believes it is up to the federal government to increase the minimum wage.

Dave Germain, 86 Tracy Drive requested the Board pass a living wage ordinance that is under consideration in its current form. Wages made in the community are spent in the community.

Debbie Streeter, 25 Eastfield Street supports the living wage ordinance. People need to be able to afford to live here. She addressed a misconception that this does not affect Town employees. She is a Board of Education employee and, in doing the math, does not make this annual amount.

Jerry O'Connor supports living wages for Manchester workers, but he doesn't see the relationship with this proposed living wage ordinance in doing that. He is surprised that this issue is back again. If the Board really believes the living wage ordinance, the way it is written now, is the best thing for this town, the Board will probably have to press on.

John Taylor, 30 Service Street reported the rally outside included 56 people from Manchester. He rebuts some of the challenges to the living wage ordinance. Some are of the opinion that living wage laws are too costly. Research does not confirm this. People are working two jobs to put basic necessities on the table for their families.

June Pinkin, 22 Santina Drive said \$5.15 is the national minimum wage and it has not changed in nine years; Connecticut is at \$7.40. We must act locally because we cannot count on the Federal Government to do what needs to be done. She supports and expects the Board to support the living wage ordinance.

Mary Young, 103 Autumn Street is supporting the living wage ordinance. She believes that paying a living wage to individuals is showing respect for its citizens. We need to show respect, and we need the Town to lead the way and show respect for its citizens by setting a living wage.

There being no further public comment the hearing on this item was closed.

Chairman Howroyd explained that it is the Board's intention, when this becomes a Business Item next week, to defer action until March with a sub-committee to review this, taking into consideration the comments from the various citizens, the Chamber of Commerce and other data received.

Director Spadaccini had no objection in referring this to a sub-committee.

- B. 1. Approval of the extension of a sanitary sewer on Greenwood Drive.
2. Establishment of assessment formula and payment options for extension of a sanitary sewer on Greenwood Drive.
3. Allocation of \$78,000 from Unallocated Sewer Reserve to fund the extension of a sanitary sewer on Greenwood Drive.

Robert Young, Water and Sewer Administrator said there has been some history of septic failures on Greenwood Drive. After holding meetings with property owners, there was an interest only in the area where the problem was occurring. Based upon a project cost for performing option 1, which is half the work in that area, those assessments would be in the range

of \$11,700 to \$12,800. A number of property owners had done some fairly recent work. As a result of that, they don't want to end up paying an assessment within the next five years. The real issue here is should the Town contribute toward the project or should the Town make that contribution by deferring everyone's assessment until such time as they need to connect.

Chairman Howroyd opened the floor for public comment at this time.

Bob Alibrio, 51 Lakewood Circle North wants the sewer line extended to the end of Greenwood Drive.

Murdoch Bain, 6 Indian Drive said this problem has been going on for thirty years. It's a health hazard and he feels the Town has a very strong responsibility to pay a portion of this project.

Andrew Darna, 44 Greenwood Drive said it bothers him that the project will not be extended to the entire street. The Town should look at the whole project.

Joe Bernard, 28 Teresa Road complained the two reservoirs above his street flow into the brook behind his house. Chairman Howroyd reminded him this item is about Greenwood Drive.

Edwin Baez, 39 Greenwood Drive spoke for the sewer extension. He is the one resident on Greenwood Drive with the most severe problem.

Elise McConnell, 36 Greenwood Drive asked the Board to hold off making any decision on the sewer project until an agreement can be reached with options for payment.

Murdoch Bain, 6 Indian Drive stated he does not believe Mr. Baez should have to pay a penny more than anyone else in the neighborhood to get the problem fixed.

Matt Spina, 25 Greenwood Drive reiterated that this is not an isolated problem at 39 Greenwood Drive.

Elizabeth Baez, 39 Greenwood Drive explained her home's septic issues began in 1972. Anyone in desperate need would welcome a solution to this very big problem.

There being no further public comment the hearing on this item was closed.

Director Sheridan received a response from Mr. Young that option 2 would cost \$133,611.

Maryann Lexius, Director of Health agreed with Mr. Young that this is an acute situation. This health violation is very serious and the Town has been working with Mr. and Mrs. Baez to keep sewage underground.

Mr. Young added the recommendation is to potentially defer assessments until the time of the connection, which means that there will be no direct contribution toward the project. They will pay the full project cost divided by the number of properties involved.

Director Sheridan asked that a standing committee work with the residents and the Water Department.

Director Peak would like to find a good partnership with this neighborhood that is fair to all.

Mr. Young added the current bids are good until the middle of March. They may have to go back through General Services, approach the two low bidders and ask them for an extension. The other possibility would be to completely re-bid the project.

Director Hachey received a response from Mr. Young that the \$11,000 to \$12,000 range would not cover all properties. Director Hachey stated all neighbors should have the ability to hook up.

Director Pelletier asked, if a bid is accepted, is there any way a number could be locked in and bypass the 10% contingency. Mr. Young replied this could not be done because of the unknown.

Director Zingler is in favor of the entire area being connected.

Mr. Young reported that in terms of polling, the option 2 people are more against having sewers installed than the option 1 people. Obviously, the option 1 people are living with the problem.

Director Topping suggested General Manager Shanley contact Gerald Dupont, Director of General Services to extend the bid with the contractors. Would it be beneficial to give homeowners a deferred assessment now and save them potentially \$10,000 to \$15,000 in assessment ten years down the road? Mr. Young said that would be difficult to tell. Also, there is one bidder for option 1 and another bidder for option 2.

Director Spadaccini said the only way to do this is through a deferred assessment.

Chairman Howroyd asked if there is the potential to extend the sewer line to accommodate, for example, 25 Greenwood Drive? Mr. Young replied they could award the contract to the option 1 bidder, take a change order to extend the sewer "X" number of feet to handle 25 Greenwood Drive, and based upon final costs, come back and use the same methodology to determine the assessment. He does not know what the assessment will be yet. But, you still end up with the fact that if something happens to the remaining properties, we will have to deal with this again.

Richard Staye, Utility Engineer recommended Mr. Young bite the entire bullet on the second phase.

Director Pelletier said we should proceed with both option 1 and option 2.

Chairman Howroyd said the Board would decide next week.

C. Appropriation to Special Projects as follows:

1. Police Community Relations Grant account\$510.00
for community based projects and/or programs to be financed by donations from Rockville Bank (\$500.00) and Eleanor Rubinow (\$10.00) which are gratefully acknowledged and accepted.
2. Manchester Dog Pound, Animal Control\$200.00
to be financed by a donation from the Beach/Flanagan Family which is gratefully acknowledged and accepted.

3. State Asset Forfeiture.....\$1,656.20
for continuing narcotics investigations, equipment, and/or training to be
financed by proceeds from narcotics investigations.
4. Children’s Garden at Northwest Park.....\$20.00
for the Children’s Butterfly Garden to be financed by a donation in memory
of Jo-Ann Cormier which is gratefully acknowledged and accepted.
5. Dial-A-Ride\$13,959.00
to be financed by a grant from the Greater Hartford Transit District/CT
Department of Transportation and authorization for the General Manager
to enter into the contract with the Greater Hartford Transit District for a
Dial-A-Ride Operating Assistance Grant.

Chairman Howroyd opened the floor for public comment at this time. There being no further public comment the hearing on this item was closed.

ADOPTED – MOTION TO SUSPEND THE RULES TO GO BEYOND ELEVEN O’CLOCK.

Director Topping moved and Secretary Zingler seconded the motion.

Nine Voted in Favor

- D. Appropriation to Fire District Reserve Fund - Equipment\$750.00
for the purchase of a digital camera to be funded by a grant awarded by
Sam’s Club Foundation which is gratefully acknowledged and accepted.

Chairman Howroyd opened the floor for public comment at this time. There being no further public comment the hearing on this item was closed.

- E. Appropriations to Education Special Projects as follows:
 1. Elementary and Secondary Education Act (ESEA) Entitlements -
(Includes Titles I-V funding).....\$1,346,719.00
to be financed by a U. S. Department of Education grant passed
through the Connecticut State Department of Education.
 2. Title III English Language Learning Entitlement\$26,194.00
to be financed by a Federal Elementary and Secondary Education Act
grant passed through the Connecticut State Department of Education.

Chairman Howroyd opened the floor for public comment at this time. There being no further public comment the hearing on this item was closed.

- F. Appropriations to Capital Improvement Reserve - Streetlights in accordance
with the streetlight acquisition plan as follows:
 1. for installation of ten (10) streetlights.....\$12,454.98
in the Manchester West Subdivision, Phases 3C, 3E & 4 B,
to be financed by a payment from J.H. Scelza Company
 2. for installation of nine (9) streetlights.....\$11,061.09
in the Millard Woods Subdivision to be financed by a
payment from Carrier Enterprises, Inc.

3. for installation of twelve (12) streetlights.....\$14,213.19
in the Buckland Ponds Subdivision to be financed
by a payment from West Central Enterprises, LLC
4. for installation of four (4) streetlights.....\$4,916.04
in the Highland Green Subdivision to be financed
by a payment from Manchester Holdings Co., LLC
5. for installation of one (1) streetlight\$619.12
in the South Meadow Estates to be financed by a
payment from Gardner Holdings Co., LLC
6. for installation of two (2) streetlights.....\$2,507.94
in the Aspen Highlands to be financed by a payment
from Buckland Developers, LLC
7. for installation of eleven (11) streetlights\$13,793.67
in the Reig Highlands Subdivision, Phases III & IV
to be financed by a payment from Highland Oaks Corp.

Chairman Howroyd opened the floor for public comment at this time. There being no further public comment the hearing on this item was closed.

4. ADOPTED – CONSENT CALENDAR.

C. Appropriation to Special Projects as follows:

1. Police Community Relations Grant account.....\$510.00
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from Rockville Bank (\$500.00) and Eleanor Rubinow (\$10.00) which are
gratefully acknowledged and accepted.
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in the Reig Highlands Subdivision, Phases III & IV
to be financed by a payment from Highland Oaks Corp.
- 15.A. Approval of early retirement for Barbara Mutchek, Board of Education.
- B. Approval of early retirement for Virginia Smith, Board of Education.
- C. Approval of early retirement for Karen Gaura, Board of Education.
- F. Authorization for the General Manager to enter into a contract with Connecticut
Light & Power for the installation of energy efficient measures at Manchester
High School.
- G. Authorization for the General Manager to enter into and amend agreements with
the Connecticut Department of Transportation:
 1. For the construction, inspection, and maintenance of Hartford Road, the
Hartford Road Bikeway Access and Historic District beautification utilizing
Federal Funds under the Surface Transportation Program (Supplemental
Agreement).
 2. For right-of-way activities replacement of Bridge No. 04401 on Park Street over
abandoned railroad utilizing Federal funds and a project grant under the Local
Bridge Program.

Director Sheridan moved and Director Hachey seconded the motion.

Nine Voted in Favor

5. REPORTS.

- A. Manager's Report.

General Manager Shanley noted the bid waiver for the repair of the fire truck was awarded to Turnpike Motors Auto Body. The Board was asked to sign this waiver because of timeliness for getting this unit back into service.

B. Summer Recreation programming and fee schedules.

Scott Sprague, Director of Parks and Recreation announced camp registrations would begin in March. He needs a consensus from the Board to move forward with the department's publicity schedule. There are three issues to deal with: (1) the reinstatement of Bowers School as a campsite, (2) extending the length of the summer season by one week, and (3) the increase of camp fees.

Director Sheridan stated he is in favor of Bowers School as a campsite, extending the summer program by one week but holding the line on the fees charged.

Directors Zingler and Topping supported issues one and two, but holding off on any fee increase.

Director Pelletier supported issues one and two; and, if necessary, would support issue three.

General Manager Shanley, in Mr. Sprague's defense, pointed out that we are going through a budget process right now. This process generates these kinds of recommendations.

Mr. Sprague said a consensus from the Board would be needed next week.

**C. QUESTIONS AND COMMENTS BY BOARD MEMBERS REGARDING
ITEMS ON THE AGENDA THAT MAY NEED ADDITIONAL
INFORMATION FOR THE NEXT MEETING.**

Director Spadaccini referred to item 15.I. He stated there was a consensus at the last meeting that the Board would speak to our legislators before taking any action. He asked if our legislators have been invited. Chairman Howroyd replied there have been scheduling issues and no meeting is planned. However, this is a discussion item and not an action item. He agreed it is important to convene with our legislators and he will try again to arrange such a meeting.

6. EXECUTIVE SESSION.

ADOPTED – The Board went into Executive Session for discussion of pending litigation and real estate negotiation at 11:35 p.m. and returned at 12:25 a.m. No votes were taken.

Director Zingler moved and Director Topping seconded the motion.

Nine Voted in Favor

RECESS TO SECOND WEEK.

The meeting was recessed until the February 14, 2006 second meeting of the month.

Director Sheridan moved and Director Topping seconded the motion.

Nine Voted in Favor

Recess: 12:25 a.m.

vbp

APPROVE:

ATTEST:

Secretary, Manchester Board of Directors