

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

ONE MEETING

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 7:05 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by the Mayor.

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

Bonnie Schuetz, 12 Conway Road thanked Director Sheridan for his letter regarding the problem on Weaver Road. She also wants to see something done with the Parkade property.

Tony Walter, 63 Delmont Street spoke on behalf of the living wage ordinance. It should be passed as originally proposed because it is the correct thing for Manchester right now and for the future.

June Pinkin, 22 Santina Drive supports the living wage. She has concerns with comments made by the Manchester Chamber of Commerce and the Republican members of this Board.

Martha DiGiovanni, 215 Kennedy Road spoke on behalf of the living wage, its economic sense, and that the Chamber and Republican Party have been using a lot of scare tactics.

Joe Rafala, 58 Hawthorne Street spoke about the Cheney Rail Line and the Manchester Land Trust. He added that Attorney Barlow should be referred to the American Bar Association for unethical conduct.

Marge Nordeen, 48 Delmont Street reported recent facts on the bird flu. A responsible course of action should be for the Board to ask the Governor to issue an executive order to pharmaceutical companies located in Connecticut to make enough doses of flu vaccine.

Sue O'Connor, Greater Manchester Chamber of Commerce presented their L.I.F.E. plan. There are many details that need to be ironed out. She urged the Board to table or vote down the proposed living wage ordinance.

Kim Sprague, 127 Wellman Road spoke against the living wage ordinance. Manchester needs to be more innovative than crafting an ordinance to give wage earners a few more bucks an hour.

Tana Parseliti stated the Board of Commissioners of the Downtown Manchester Special Services District believes that all individuals have the right to earn a fair wage for the services they perform. However, they do not believe that the current proposed living wage ordinance achieves this goal.

John Tucci, 352 Hilliard Street said Connecticut is one of the lowest states for jobs creation in this country and also an anti-business state. The solution to the new global market is free trade.

Bill Ogden, Branford Street suggested the Mayor's Foundation would be a wonderful source of scholarships for children. He disapproved of Mr. Cassano's conference trip to Washington, DC.

Tom Stringfellow, 183 Hillstown Road commented on dealing with youth violence, crime, drugs, poverty, and the L.I.F.E. plan.

Eileen Sweeney, 86 Hawthorne Street referred to the attendance policy at Manchester High School. She also spoke of the plan to demolish three of Manchester's well-constructed buildings.

4. ADOPTION OF MINUTES OF PREVIOUS MEETINGS.

- A. Actions, February 14, 2006 – Regular Meeting
- B. Actions, February 7, 2006 – Regular Meeting
- C. Minutes, October 11, 2005 – Regular Meeting
- D. Minutes, November 21, 2005 – Swearing In
- E. Minutes, November 22, 2005 – Regular Meeting

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

Nine Voted in Favor

5. COMMUNICATIONS.

Secretary Zingler received a packet from the Connecticut Conference of Municipalities pertaining to adult business regulations and ordinances, which he forwarded to Board members and the Town Attorney.

Director Peak read a list of businesses opposed to the living wage ordinance in Manchester.

Director Hachey said his party discouraged proponents on the living wage from calling or sending letters to the Board members on a directed campaign.

Director Spadaccini also read a list of businesses that raised concerns or opposition to the living wage ordinance.

Director Pelletier added to the list more names of businesses and residents opposed to the living wage ordinance.

6. REPORTS.

- A. Manager's Report.

General Manager Shanley commented that the subcommittee on the living wage submitted a series of questions to the staff after their last meeting. When the committee meets again they will have this information. He also explained that the Town of Manchester has been working a number of months to be in a position to react in the event of an outbreak of Avian flu.

Director Hachey reported the Administration, Personnel and Finance Committee is scheduled to meet on March 20, 2006. He had nothing to report at this time.

Director Peak commented there are few principle parts of the living wage ordinance that he disagrees on. There is an argument to be made on the living wage ordinance, but it is essential to know the costs if it is enacted.

Chairman Howroyd explained the Freedom of Information Act requires posting a notice for any scheduled meeting of the Board.

8. PUBLIC HEARINGS.

- A. 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 not to exceed \$148,000 from Unallocated Sewer Reserve to fund the extension of a sanitary sewer on Greenwood Drive.

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

Liz McConnell, 36 Greenwood Drive requested the Board accept the deferred payment option versus the five-year plan. Also, the road should be re-pitched once the work has been done.

Edwin Baez, 39 Greenwood Drive spoke in favor of the project. He is in desperate need to have the sewer line extended to his home.

Matt Spina, 25 Greenwood Drive thanked the Board for approving the extension.

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

Robert Young, Water and Sewer Administrator responded to Secretary Zingler that when the Town digs up a road, the cost of permanent pavement is paid directly to the Town's paving fund, which is planned in this particular case.

Director Spadaccini said he is trying to evaluate whether it makes more sense to put this out to bid, or to have a contractor do it, versus doing it "in house". If we did it in house, the Town would still have labor costs incurred. How does it stack up against the contract bid price?

General Manager Shanley explained the Town wanted to provide as many options as possible for the Board. One thing that has been done in the past, for small projects, homeowners have been asked to pay for materials and the Town has gone in with Town crews and installed pipe. The cost is still there, but it is not necessarily passed onto the homeowner. Under this proposal, this is just the concept of backing out what it would have cost if we had done the labor that we could do. Nonetheless, this project would all be contracted. The down side to this particular option is that there is a one-half cost before and a one-half cost after. It is not a deferred option.

Director Spadaccini asked how were the contractors invited to bid on this, as Option 1, Option 2 or both Options 1 and 2. Mr. Young responded it was bid as Option 1 and Option 2.

Director Hachey said Option 2 is the responsible thing to do.

Director Peak supported the deferred assessment option.

Director Topping received clarification from Mr. Young that this project will be fully funded.

- B. Approval of an amendment to the Code of Ordinances, Chapter 235, Peddling and Soliciting. A copy of the proposed amendment may be seen in the Town Clerk's office during business hours.

General Manager Shanley explained this particular ordinance had not been rewritten since 1978. A number of issues have arisen over the last couple of years, which caused staff to take a good look at the ordinances. It was found the Town was unable to enforce certain things we should have been able to enforce.

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

Mark Pelligrini, Director of Neighborhood Services/Economic Development assured Director Peak that most vendors will not be troubled by an increase in fees. Mr. Pelligrini said the important issue is to have a better set of regulations.

Director Pelletier suggested the proposed ordinance should have been mailed to vendors currently holding permits.

C. Appropriation to Special Projects as follows:

- 1. State Asset Forfeiture\$1,015.00
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
- 2. Federal Asset Forfeiture\$4,584.97
for continuing narcotics investigations, equipment and/or training to be financed by proceeds from narcotics investigations
- 3. Children's Garden at Northwest Park\$600.00
for the Children's Butterfly Garden to be financed by a donation in memory of Jo-Ann Cormier (\$50.00), a donation in memory of Janet C. Perry (\$50.00) and the National Butterfly Garden Award (\$500.00) which are gratefully acknowledged and accepted.
- 4. Social Services Block Grant – SAGA\$45,630.00
for regional social services coordination to be financed by a grant from the State Department of Social Services (DSS) and authorization for the General Manager to enter into the contract with the State of Connecticut.
- 5. Discovery Initiative for Young Children.....\$30,000.00
to be financed by a grant from the William Caspar Graustein Memorial Fund through the Manchester Early Learning Center for the benefit of the School

Readiness Council.

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

Bill Ogden, Branford Street needed a response to a question regarding item C.4, which will be answered at the end of the public comments.

Tom Stringfellow, 183 Hillstown Road supported items C.1, C.2, C.4 and C.5.

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

Diane Wicks, Senior Adult and Family Services provided an explanation to Bill Ogden that this is the seventh year of the grant and it has continued at about the same level for all seven years. They do not have an indication that the funding will discontinue.

9. ADOPTED – CONSENT CALENDAR.

8C. Appropriation to Special Projects as follows:

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5. Discovery Initiative for Young Children.....\$30,000.00
to be financed by a grant from the William Caspar Graustein Memorial Fund through the Manchester Early Learning Center for the benefit of the School Readiness Council.
- 12A. Acceptance of a resignation of David M. Laraia from the Housing Commission with a term expiring November 2006.
- 12C. Acceptance of a resignation of James M. Griffin from the Planning and Zoning Commission with a term expiring November 2007.
- 12E. Acceptance of a resignation of John Topping from the Zoning Board of Appeals with a term expiring November 2007.

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

Eight Voted in Favor

RECESS.

The Board took a brief recess at 8:45 p.m. and returned at 9:00 p.m.

Director Hachey moved and Director Sheridan seconded the motion.

Eight Voted in Favor

10. ACTION ON ITEMS OF PUBLIC HEARINGS.

ADOPTED:

- A. 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 not to exceed \$148,000 from Unallocated Sewer Reserve to fund the extension of a sanitary sewer on Greenwood Drive.

Secretary Zingler reminded all that this is a health safety issue in this neighborhood. We need to preserve the infrastructure and also make sure the residents can afford to hook into the system in the future.

Director Sheridan said he appreciates the staff coming up with the creative idea of the use of Town forces that would reduce the total assessment to each property owner to \$7,000. He echoed the comments of Secretary Zingler and will vote in favor.

Director Peak also echoed Secretary Zingler's comments and will support this.

Secretary Zingler moved and Director Hachey seconded the motion to approve the extension of the sanitary sewer on Greenwood Drive from Saint Paul to East Middle Turnpike to serve all eleven homes and also to establish a deferred payment option without interest to the residents that decide to hook up in the future, the allocation not to exceed \$148,000 from the Unallocated Sewer Reserve Fund.

Nine Voted in Favor

- B. Approval of an amendment to the Code of Ordinances, Chapter 235, Peddling and Soliciting. A copy of the proposed amendment may be seen in the Town Clerk's office during business hours.

Secretary Zingler asked Mr. Pelligrini if we would recover our costs, in terms of town staff time, with the existing fees or is there a need to increase the fees. Mr. Pelligrini's guess would be the existing fees would not cover costs, currently at \$15 for residents and \$25 for non-residents.

Chairman Howroyd also had a concern with keeping the fees where they are, especially with the cost of police background checks.

Mr. Pelligrini said it is at the discretion of the police to do background checks on vendors.

Director Peak said he is open to some other idea on the fee structure.

Director Topping announced he would vote in favor of the motion as proposed, and against the amendment.

DEFEATED – MOTION TO MAINTAIN FEES AT CURRENT LEVEL.

Director Peak moved and Director Spadaccini seconded the motion.

**Four Voted in Favor
Howroyd, Peak, Spadaccini and Pelletier
Five Voted Against
Sheridan, Topping, Hachey, Zingler and O’Neill**

ADOPTED – MOTION TO INCREASE FEES FROM \$15 TO \$50 FOR RESIDENTS AND \$25 TO \$100 FOR NON-RESIDENTS

Director Sheridan moved and Director Topping seconded the motion.

Nine Voted in Favor

11. UNFINISHED BUSINESS.

TABLED – A. Appointments to Boards and Commissions which have members with terms expiring in November/December 2005.

<u>Board/Commission</u>	<u>Name</u>	<u>Term Expiring</u>
Cheney Hall Board of Commissioners	T-Vacancy	November 2008
Commission on Aging	T-Charlene Southergill, 8 Hendee Rd (R)	November 2008
Human Relations Commission	T-Alfred Meek, 124B2 Park St (R)	November 2008

Secretary Zingler moved and Director Spadaccini seconded the motion.

Nine Voted in Favor

TABLED – B. Approval of an ordinance establishing a living wage requirement.

Director Sheridan moved and Secretary Zingler seconded the motion.

Nine Voted in Favor

TABLED – C. Approval of the Manchester L.I.F.E. Scholarship.

Director Peak moved and Director Spadaccini seconded the motion.

Nine Voted in Favor

12. NEW BUSINESS.

TABLED – B. Appointment of a member to the Housing Commission with a term expiring November 2006.

Secretary Zingler moved and Director Sheridan seconded the motion.

Nine Voted in Favor

APPOINTED – D. Appointment of a member to the Planning and Zoning Commission with a term expiring November 2007 – Horace Brown, 24 East Maple Street

Secretary Zingler moved and Director Sheridan seconded the motion.

Nine Voted in Favor

APPOINTED – F. Appointment of a member to the Zoning Board of Appeals with a term expiring November 2007 – Robert Haley, 19 Welcome Place

Secretary Zingler moved and Director Hachey seconded the motion.

Nine Voted in Favor

MOTION TO SUSPEND THE RULES TO CONSIDER THE APPOINTMENT OF AN ALTERNATE TO THE ZONING BOARD OF APPEALS.

Secretary Zingler moved and Director Hachey seconded the motion.

Nine Voted in Favor

APPOINTED – F.1. Appointment of an Alternate to the Zoning Board of Appeals with a term expiring in November 2007 – Susan Shanbaum, 99 Hartford Road

Secretary Zingler moved and Director Topping seconded the motion.

Nine Voted in Favor

ADOPTED – G. Referral to Ethics Commission: Ethics Manual/Guidelines.

Director Spadaccini asked this item be placed on the agenda for formal referral from the Board of Directors. The Town Charter contains a section that deals with the appointment of an Ethics Commission. There is a very brief ethical code within the Town Charter, only about a half-page long. Director Spadaccini recommended preparing and handing out a guide or booklet that outlines some basic principles of ethical conduct and also how to avoid some of the minefields encountered as members of boards and commissions. The Ethics Commission is an appropriate board to draft this.

Secretary Zingler said Director Spadaccini's suggestion is a good one. He also added he and Director Spadaccini met regarding boards and commissions to discuss formal procedures for members to follow.

Director Pelletier stated she is an employee of the Town of Glastonbury, which has a Code of Ethics. She suggested our elected officials review the ethical gaps and send the recommendations to the Ethics Commission, hopefully to take action with enforceable and properly drafted ordinances. She supports creating an ethics manual.

Director Spadaccini moved and Director Peak seconded the motion.

Nine Voted in Favor

H. Employee Mentoring Partnership.

Director Pelletier explained the basic concept of the Employee Mentoring Partnership is to have town staff, on a voluntary basis, be given one hour to one and one-half hours of paid time to join

together at the schools and help tutor or mentor children within the school environment. She suggested the Board refer this item to the Health, Human and Leisure Services Committee for discussion.

TABLED – 12.I. Approval of participation by the Town of Manchester in the Connecticut Coalition for Justice in Education Funding lawsuit.

Chairman Howroyd explained the minority leader hoped to discuss this with some of our legislators. Because of time constraints, this meeting did not take place. Personally, Chairman Howroyd thinks it would be in the Town's best interest to participate and leaves it up to the Board what course of action should be undertaken.

Director Spadaccini said it is the Board's best interest not to act on this until we have the opportunity to speak with our legislators. It seems to be common sense that, before we participate or fund a lawsuit that is suing the State of Connecticut, we get our legislator's reaction to this.

Director Topping moved and Director Pelletier seconded the motion.

Nine Voted in Favor

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

Director Sheridan asked General Manager Shanley for an updated list of the top ten delinquent taxpayers and, in the future, to receive quarterly updates; requested the Town follow up to a resident's concern about flooding on Weaver Road; would like to be involved with the CDBG grant process and requested an application for review; and requested a copy of 250 signed cards from supporters of a living wage ordinance. Director Sheridan commented on the assistance from former Mayor Cassano in scheduling appointments with Washington officials during the NLC Congressional Cities Conference. He further explained important projects and initiatives that may be undertaken as a result of their visit.

Vice-Chairman O'Neill requested a briefing on the April 19th drill; a brief update on projects from the Building Committee; copies of commission minutes; and an update on where we stand with community service projects.

Director Hachey passed out copies of the P.A.L. brochure.

Director Pelletier met with a resident of the Keeney Road area with serious water problems. The neighbors are interested in having catch basins installed and would like to explore the possibility of using Town forces. She also stated that if the former Mayor wants to be the ambassador from Manchester, he should do it on his own dollar.

Director Spadaccini recommended we actively pursue establishing a special services district in the Buckland area. Perhaps the place for this Board to start is to turn it over to one of our subcommittees. Director Spadaccini also believes that only Board members should attend conferences. He concluded his comments by recognizing the passing of a former Board member, Jack Crockett.

Chairman Howroyd spoke of the former mayor's participation in the National League of Cities Conference. Selectman Cassano is attending at the request of Chairman Howroyd, and he feels we are being well represented in Washington. He explained the concerns about the acquisition of a portion of the former Cheney Rail Line by the Manchester Conservation Commission. Chairman Howroyd said the process utilized with this particular acquisition was just plain wrong. He is deeply troubled by the way this came about. The rail line was purchased with a \$50,000 grant from the State Department of Environmental Protection, along with a \$5,000 grant from the Savings Bank of Manchester Charitable Foundation. To his knowledge, members of this Board were not aware of the State grant. If this community were eligible to receive \$50,000 in State grants from the DEP for other open-space acquisitions, Chairman Howroyd can think of other properties to acquire before this one. He is also concerned about the agreement that was entered into with the Land Trust in the late 1990's about an acquisition and a notification procedure to be followed to allow the Town to know when the Land Trust was going to take property off the tax roles. Where they might have complied with the letter of that agreement, they clearly did not comply with the spirit. This establishes a pattern. He does not want to see the Town utilize any forces to improve this property and would like to see this Board consider what actions they could take to make sure this does not happen.

Director Peak would like the Board to review policies regarding the sale of tax abatements in subcommittee. He mentioned there was some friction within the subcommittee on the living wage ordinance. This is probably the single most divisive issue the Board has had to deal with. The best way to handle this debate is to start with a single question of whether the living wage ordinance makes life better in Manchester.

Director Hachey said, with regard to the so-called friction of the Administration, Personnel and Finance subcommittee meeting on the living wage ordinance, it was Director Peak's suggestion that we acquire up-to-date financial analyses on this subject. To imply that we did not want to go forward is erroneous. Director Hachey hopes this is the end of it.

Director Pelletier said it is clearly written in the Town Charter that if anyone is to take the place of the Chairman in any official capacity that it is the Vice-Chairman. In the absence of that, this Board is supposed to take a vote for an acting Chair.

Director Topping stated the former mayor's participation is necessary. He believes we will reap fruitful rewards from his presence in Washington. He also suggested that the Board's Economic Development Committee would be a good place to start discussion of a special services district in the Buckland area.

Chairman Howroyd reminded everyone that there would be a scheduled recessed meeting with the Board of Education at 6:00 p.m. on Tuesday, March 21; the General Manager's Budget presentation at 8:00 a.m. on Tuesday, March 28; the next regular Board meeting on Tuesday, April 4, followed by the Annual Budget Hearing on Wednesday, April 5th at Waddell School.

14. ADJOURNMENT.

The meeting was adjourned until the April 4, 2006 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

Director Topping moved and Director Pelletier seconded the motion.

Nine Voted in Favor

Adjournment: 10:30 p.m.

vbp

APPROVE:

ATTEST:

Secretary, Manchester Board of Directors