

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**July 11, 2006 – 7:00 p.m.**  
**LINCOLN CENTER HEARING ROOM**

**ONE MEETING**

**EXECUTIVE SESSION – 6:30 P.M.**

**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

Chairman Howroyd called the meeting to order at 6:40 p.m.

**MOTION FOR EXECUTIVE SESSION TO DISCUSS REAL ESTATE ACQUISITION AND SECURITY.**

**Secretary Zingler moved and Director Hachey seconded the motion to go into Executive Session.**

**Six Voted in Favor**  
**(Peak, O’Neill, and Sheridan out of the room)**

**1. MEETING CALLED TO ORDER.**

The meeting was called to order at 7:10 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by the Mayor.

**2. AWARDS AND PRESENTATIONS.**

There were no awards or presentations.

**3. 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, discussed the brook behind his home. The problem is still not fixed and it needs to be fixed now. More water is being pumped into it and causing more damage.

**Emma Swetzes**, 45 Waddell Heights Drive, does not think the public is getting all the facts regarding the purchase of the houses on School, Vine, and Wells Streets for the Bennet School use. She found that the total acreage of the property to be purchased is only 1.01 acres and the total price will be \$1,799,432. What is the additional cost of demolition? Where are all the families that are currently living in these multi-family homes going to go? Will the Town be

asked to pay for relocating them? What is the total price of this recreation area? She gave the year 2000 appraised value of these homes, as well as the price the Town is going to pay for each property. She is concerned that the increase in values is an example of what is to come with revaluation.

**Chairman Howroyd** stated that the Board will address some of the items mentioned by Ms. Swetzes during the discussion of 8.H through 8.L.

**Bonnie Schuetz**, 12 Conway Road, is disappointed in this Board. She told Director Hachey that whatever is between Mr. Cummings and Mr. Crocket should stay between them and should not be brought to the Board. Ms. Schuetz commended Chairman Howroyd on how he handled the controversy last month. The Town made repairs to the brook behind the Schuetz home and did a great job. She would like the Board to work together and made some suggestions for changes.

**Steve Petow**, 82 Westland Street, is dissatisfied with the tax burden placed on Manchester residents. He thinks that the significant increase in commercial establishments should be offsetting the residential taxes. After living in Town for 26 years, Mr. Petow and his family will be moving out of Manchester in the next few months. They do not want to leave, but feel they have no choice due to rising taxes.

**Bob Samuelson**, 108 Hemlock Street, stated that the condition of Center Springs Park is a disgrace to the Town. It appears to Mr. Samuelson that Items 8.H through 8.L have the Directors' approval before the public hearing even takes place. Why should the public speak on matters such as a \$2 million land purchase? He does not think making these land purchases makes sense. There isn't even money to clean up Center Springs Park and the Town is spending money like this.

**Milt Perlman**, 3 Sanford Road, stated that it is suddenly unsafe for school children to cross the street to use Charter Oak Park, however a traffic cop has yet to be called to the area. Isn't there a better way to use \$1.8 million than for land that is 250' x 150'? When the commercial areas came into Town, residents were supposed to get tax breaks.

**Bill Ogden**, 137 Branford Street, feels there is a problem in Town with "mushroom management." There is a problem with the waterways in Town. The Town spent \$205,000 on Management Partners. One of their suggestions was to put on a night crew, however that has not been done yet. Mr. Ogden agrees that the school should call a traffic cop when children need to cross the street to Charter Oak Park. Why is the Town still hiring out fleet repairs to the local gas stations?

**Jim Kurlowicz**, 27 Columbus Street, commented on the controversy at last month's meeting. He feels the easiest resolution is to say that anybody who is an elected official or Town employee cannot do business with the Town of Manchester. It is perception. Mr. Kurlowicz commended the Board on being individual thinkers. He thinks the Board has better issues to deal with than ethics and that they should find a new direction for their energy.

**Terry Werkhoven**, 88 Santina Drive, agrees with the sentiments of Mr. Samuelson about Center Springs Park. Who is in charge and when is something going to be done about it? There is a general feeling among homeowners and taxpayers that there is a problem with students and the lack of proper discipline and social behavior. Mr. Werkhoven related an incident where two students were missing between Bennet School and Charter Oak Park and were found in a vehicle at Carter Chevrolet. The decision to abandon Charter Oak Park is ludicrous. Parents need to teach social behavior and safety. Mr. Werkhoven is concerned about what is happening with the roof at the High School. He has heard that the membrane has torn, but in his investigations he has found that membrane does not tear.

**Wendy Videll**, 162 Homestead Street, is concerned with the late night noise in Town. When she has called the Police Department, she has been told that there is really nothing they can do. The Fourth of July holiday was the most recent problem. She was up until 2:00 a.m. with her children who were absolutely terrified with the amount of noise from the fireworks. She understands it was a holiday, but it was also a weeknight. Ms. Videll is aware of regulations for machinery noise and thinks the same should hold true for late night noise.

**Tom Stringfellow**, 183 Hillstown Road, recently attended Manchester Government Academy and was highlighted in his employee newsletter for recognizing the value of the Government Academy. Mr. Stringfellow does not want to see people moving out of Town because of taxes. He feels people should be prepared for bioterrorism. There is a rise in neo-Nazi groups and although they do have a right to assemble, racist violence of any type is wrong.

#### **4. ADOPTION OF MINUTES OF PREVIOUS MEETING.**

- A. Actions, June 6, 2006, Regular Meeting
- B. Actions, June 13, 2006, Regular Meeting
- C. Minutes, June 6, 2006, Regular Meeting
- D. Minutes, June 13, 2006, Regular Meeting

**Secretary Zingler moved and Director Hachey seconded the motion to adopt the minutes.**  
**Nine Voted in Favor**

#### **5. COMMUNICATIONS.**

**Director Peak** spoke to a resident on Olcott Drive who thinks there might be some safety concerns with dead wood in the neighborhood parklet. He would like to have the Tree Warden look to see if there is truly a safety concern.

**Director Hachey** has already faxed information to Mark Carlino regarding a resident on Bush Hill Road whose leaves were scooped out and had some soil removed as well. He would like this followed up. Director Hachey heard from Ms. Videll about the fireworks in her neighborhood and appealed to people to use their common sense and courtesy. If people cannot do that, then maybe an ordinance is necessary. Director Hachey would also like an update on the study of the problem on Gerard Street.

**Secretary Zingler** received an e-mail from a resident on Vernon Street regarding speeding. It has been recently repaved and is one of the few straightaways left in Town. He has asked the Police Department to look into this problem and prepare a report to see if it warrants any further action on behalf of the Board. Secretary Zingler thanked Mark Carlino for checking into signage in the Vernon Street area as well.

**Director Spadaccini** suggested using existing statutes for the late night noise issue. He received a written communication from Doreen Sterne concerning the potential results of the revaluation. Ms. Sterne suggested educating the Manchester Senior Citizens on affordable housing options. Director Spadaccini also received a phone call expressing dismay about the outside condition of the homes at the senior housing on Pascal Lane. The doorways and exteriors have become shabby and deteriorated. Could the Housing Authority look into this?

**Chairman Howroyd** explained that the Board of Directors has had a briefing about revaluation and there will be a more detailed discussion during the September Board of Directors meeting. The Assessor's Office is available to give a presentation about the potential impact of revaluation to any group who would like one.

## 6. REPORTS.

### A. Manager's Report.

**General Manager Shanley** confirmed there will be significant discussion in a future Board of Directors meeting about revaluation, most likely in September. He felt it was important to note that the value of multi-family housing has appreciated considerably. In this state, local government is dependent upon property tax. The only fair way to tax property is to get actual values and tax based on those numbers. General Manager Shanley stated that next month there will be a presentation on CDBG projects for the upcoming year and Center Springs Park is one of the major projects included. He also explained that the Mall is valued at about \$100 million and pays \$3.5 million a year in property taxes. The mall area pays about \$14.5 million in tax revenue per year. General Manager Shanley explained that the area of the roof on the High School that leaked is 23 years old. And finally, General Manager Shanley asked that Mark Carlino update the Board on the Gerard Street drainage issue.

**Mark Carlino**, Director of Public Works, informed the Board that the Town issued a Request for Proposal to be returned during the third week of July. Work will begin after those bids are received.

**Secretary Zingler** asked for an update on the youth situation in Town. How are the summer months going so far? General Manager Shanley answered that the outreach workers are out there and the feedback he has received is that they are doing an excellent job. He will provide the Board with a formal report in September.

**Director Spadaccini** noted that it has been about a year since the efficiency study. He would like a report of the recommendations made, the recommendations that were implemented, and

the recommendations that have not yet been implemented and why not, or if they will and when? General Manager Shanley agreed a list should be generated. Director Spadaccini would also like to start a dialogue with Manchester Country Club about an efficiency study since they seemed open to the idea last month.

**Director Hachey** commended Louise Guarnaccia for the work she did to acquire the grant money for the trail bridge on Tolland Turnpike. He would like a follow up on the overgrown brush situation on Edgerton Street. There was a problem reported with a pond in the vicinity of Pond Drive. The pond is dirty and full of pollution. Director Hachey contacted DEP and was told the local authorities take care of that pond. He would like more information about this problem.

**Director Topping** would like seminars set up during the winter months explaining revaluation. He suggested phasing-in as a possible solution. Director Topping agrees with Director Spadaccini's suggestion about working with the Manchester Country Club on the efficiency study. He also got the impression that the Country Club would be more than willing to answer any questions the Board may have and he would like to have them back in the fall for a more frank discussion. Regarding Mrs. Videll's complaint about the noise in her neighborhood, he agrees there are statutes that can be used and suggested two that he is aware of due to his experience as a police officer.

**Mark Pellegrini**, Director of Neighborhood Services and Economic Development, did receive a call on the pond near Pond Drive. He had James Davis, the Wetlands Agent, look at that pond and the site. Mr. Pellegrini will follow up.

B. Update on the moratorium process re: adult businesses.

**Mark Pellegrini**, Director of Neighborhood Services and Economic Development, updated the Board on the moratorium process. He explained that the moratorium was adopted by the Planning and Zoning Commission in March of 2006 to allow the Commission time to look at the issue of whether or not to adopt zoning regulations around adult oriented establishments. Current zoning regulations do not regulate adult oriented businesses as they fall under the category of entertainment or retail. There is a Town ordinance that focuses on adult entertainment establishments. After doing research into the different regulatory approaches, Mr. Pellegrini has found that there are opportunities to regulate adult oriented establishments, but no opportunities to ban them. The Planning and Zoning Commission intends to adopt an adult oriented business regulation, as well as a set of definitions, and will limit those types of establishments only to industrial zones. They can also be regulated as special exception uses which would mean that they would have to go through a public hearing process. The Planning and Zoning Commission would like to adopt their regulation before the end of the moratorium period. Mr. Pellegrini also looked at the Town's ordinance and found that some definitions are not present and suggested the Board add the definitions to the Town's ordinance.

**Director Pelletier** noted that whatever is passed will not affect the opening of VIP. She thinks that the Town should get an ordinance in place, but also feels this is a community open wound. Director Pelletier asked Mr. Pellegrini for some examples of operational requirements. He gave examples that included hours of operation, lighting, accessibility, visibility into establishments, and display of materials to the outside. Mr. Pellegrini stated that the Town currently has a good set of operational requirements. Director Pelletier knows that the current ordinance does not allow adult oriented establishments within certain distances of schools, daycare centers, and the like, but what about places that instruct children? She gave the example of a martial arts school right next to the VIP location, as well as a gymnastics school currently located in the industrial zone.

**Secretary Zingler** asked the timeframe for drafting an ordinance. Attorney Darby will provide a draft ordinance for the next agenda.

**Director Peak** asked questions about the percentage of floor space used for adult material in order to be considered a sex shop and stated that he is concerned these establishments will find a way around this regulation. Director Peak asked if Planning and Zoning could refuse permits based on public opinion. Mr. Pellegrini answered that there is not unlimited discretion in Planning and Zoning. If the applicant meets the criteria they should be approved. If they are denied, they have the option of going to Supreme Court.

**Attorney Darby** is aware that the popular sentiment is that the people of Manchester do not want adult oriented establishments in Town. His intention is to craft an ordinance that goes as far as possible to regulate these types of establishments, keeping in mind that the more aggressive we get, the more we go out on a limb, not knowing if an aggressive ordinance will hold up in Supreme Court if challenged. He questioned how aggressive the Board wants to get.

**Director Spadaccini** would like to pursue changes to the Town's ordinance. He suggested having a First Amendment expert look at the draft ordinance. Director Spadaccini asked if the Town needs to have both an ordinance and a zoning regulation. Attorney Darby explained that the zoning ordinance is valuable because the special exception process allows for the public's input.

**Director Topping** is glad the Town is doing something about this issue. He would like to see a free standing ordinance, rather than modifying the current ordinance. Director Topping would like to err on the side of caution when drafting the new ordinance.

**Director Hachey** thinks we should get as aggressive as possible and not worry about getting beat in court.

**Director Pelletier** asked if research can be done on businesses requesting a permit in Town, to find out if there have been any police problems with existing locations. Mr. Pellegrini answered that he has not seen that in zoning law, but knows it can be included in Town ordinances.

**7. PRESENTATION OF BID WAIVER REQUESTS.**

There were no bid waiver requests.

**8. PUBLIC HEARINGS.**

A. Appropriations to Special Grants Fund as follows:

1. State Asset Forfeiture.....\$2,746  
for continuing narcotics investigations, equipment and training to be financed by proceeds from narcotics investigations.
2. State Asset Forfeiture.....\$1,976  
for continuing narcotics investigations, equipment and training to be financed by proceeds from narcotics investigations.
3. Manchester Dog Pound, Animal Control.....\$192  
to be financed by a donation from Luv My Pet, Inc. which is gratefully acknowledged and accepted.
4. Public Safety – Police Department (SG014).....\$15,000  
to benefit the Department as deemed necessary to be financed by donations (\$10,000 and \$5,000) from anonymous donors which are gratefully acknowledged and accepted.
5. Public Safety – Police Department (SG014).....\$5,000  
for the K-9 unit to be financed by a donation from an anonymous donor which is gratefully acknowledged and accepted.
6. Children’s Garden at Northwest Park.....\$200  
for the Children’s Butterfly Garden to be financed by a donation from the Perennial Planters Garden Club, which is gratefully acknowledged and accepted.
7. Manchester Public Library, Donation Trust Fund Account 755.....\$3,000  
to be financed by a donation from the SBM Foundation for the “One Book” program which is gratefully acknowledged and accepted.
8. Public Safety – Bioterrorism.....\$48,500  
to be financed by a grant from the State of Connecticut.
9. Federal Asset Forfeiture.....\$2,133  
for continuing narcotics investigations, equipment and training to be financed by proceeds from narcotics investigations.

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

**Milt Perlman**, 3 Sanford Road, commented on item 8.A.8 and would like to know the Town’s plans in case of an emergency. General Manager Shanley thought there could be a presentation in the fall on what the Town’s preparations are.

**Tom Stringfellow**, 183 Hillstown Road, supports items 8.A.1 and 8.A.8. He spoke about current news articles concerning methamphetamine labs as wells as the biothrax vaccine.

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

**Secretary Zingler** asked what the \$15,000 donated in item 8.A.4 will be used for. General Manager Shanley answered there is currently no specific plan as this was an unexpected donation.

- B. Appropriation in Wastewater Treatment Plant UV Treatment project.....\$500,000 to be funded by a Tyco Settlement Agreement as outlined in a July 16, 2004 memorandum from the Water and Sewer Administrator, a June 19, 2006 memorandum from the Acting Water and Sewer Administrator, and as authorized at the August 3, 2004 Board of Directors meeting.

**General Manager Shanley** explained that this is a completion of the funding process authorized in 2004 and is essentially complete. This UV process eliminates the need to use chlorine which provides a safer environment to the community.

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

**Tom Stringfellow**, 183 Hillstown Road, attended the Government Academy and saw this process, which works very well. He supports this upgrade.

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

- C. Appropriation in General Fund – Transfer to Capital Projects Fund.....\$425,000 and subsequent transfer to CP345 (MHS renovations) for roof work at Manchester High School to be funded by General Fund Designated Fund Balance set aside for that purpose.

**General Manager Shanley** explained that this will allow the Town to put a 30-year roof on the High School. These funds have been generated over several years from various educational reserves and surpluses.

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

**Milt Perlman**, 3 Sanford Road, asked if this is just the first of several transfers for this project, have there been others, and are others planned? General Manager Shanley answered that this is the first transfer and there has been some discussion about another, but nothing has been brought to the Board.

**Tom Stringfellow**, 183 Hillstown Road, commends getting grant money for the roof repair. He hopes that the new permanent patch will hold.

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

**Vice-Chairman O'Neill** asked about the remaining funds in the contingency fund for the High School project. Louise Guarnaccia explained that there is still \$2.1 million in the contingency fund and 14 months of construction to go. The project is within budget and on target.

- D. Appropriation to Open Space CP346.....\$60,840  
for the purchase of additional open space parcels to be funded by a reimbursement grant from the State of Connecticut Department of Environmental Protection related to the acquisition of the “Peterman” property adjacent to Case Mountain.

**General Manager Shanley** explained that this property has already been purchased by the Town of Manchester. Post purchase the Town submits for reimbursement and the money will go back into the land acquisition account.

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

- E. Appropriations to Education Special Projects as follows:
  - 1. Increase in Adult Education Grant (FY 05/06).....\$4,298  
to be financed by a grant from the State of Connecticut.
  - 2. Increase in Appropriation for Medicaid (FY 05/06).....\$78,300

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

**Tom Stringfellow**, 183 Hillstown Road, thinks adult education is vital and it needs all the help and assistance it can get. It is important that people continue their education.

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

- F. Appropriation to Capital Improvement Reserve – Public Works Equipment...\$44,386  
to be funded from the Sale of Surplus Equipment.

**General Manager Shanley** stated that the intent is to use these funds to purchase some fuel efficient fleet vehicles. Six vehicles will be eliminated and replaced with three fuel efficient vehicles. The pool fleet will be reduced to save maintenance costs, and the vehicles that are purchased will be more efficient.

**Bill Ogden**, 137 Branford Street, asked what the Town is getting rid of. General Manager Shanley answered that the Town already sold a lot of equipment to generate this money. Mr. Ogden suggested taking the fleet vehicles away from the employees who are taking them home, especially when taken out of town.

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

**Director Peak** endorses the idea of purchasing hybrid vehicles. He pointed out that the higher cost to purchase these vehicles initially will be recovered after eight to ten years of use.

**General Manager Shanley** stated that it is not unusual for the Town to keep vehicles for at least ten years, if not longer.

- G. Appropriation to Cemetery Trust Fund.....\$12,426  
to be funded from rental income on Hillstown Road property.

**General Manager Shanley** explained that these funds are from the rental of a single family home that the Town owns on Hillstown Road.

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

- H. Approval of ordinance authorizing the purchase by the Town of Manchester of premises known as 11-13 Vine Street for the sum of Three Hundred Fifty Thousand (\$350,000) Dollars, from German Ochoa and Rosa Umana to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

**General Manager Shanley** explained that it is important to note that the Town did an analysis of ten comparable sales that occurred between February 2006 and June 2006 and found that the average price was \$355,700.

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

**Bob Samuelson**, 108 Hemlock Street, addressed the measurements and acreage of this property. He stated that when the average person buys a piece of property, they analyze the property value for their use. This property is going to cost \$600 per square foot, plus the cost of demolition to change the use of the property. He also asked when the bus station is scheduled to go in at the Charter Oak Park location.

**Chairman Howroyd** asked Louise Guarnaccia to explain some of the costs associated with the Bennet project.

**Louise Guarnaccia**, Director of Operations, explained that the property on Vine Street will be used for parking. Approximately 36 spaces will be built there. The houses on the other properties will be torn down and those locations will then become play area. The cost for demolition and asbestos abatement is approximately \$450,000. The total cost for the purchase of the property, demolition, asbestos abatement, construction of the parking area, making improvements for the green space, putting up fencing and some plantings is estimated at \$2.5 million.

**Milt Perlman**, 3 Sanford Road, understands that the property value of homes has risen considerably, but that does not mean the Town should purchase the properties at such an inflated price. Just because a couple kids got into mischief is not a good reason to discontinue use of Charter Oak Park. He can't believe that the Town is going to pay \$1.8 million for some parking spaces and a 250' x 150' play area. He also can't believe the Town is going to go ahead with this project, especially in light of the taxes being raised during revaluation.

**Terry Werkhoven**, 88 Santina Drive, does not understand why the Town is going to pay \$1.8 million dollars for this piece of land when there is already a piece of land across the street available for the very same use. Just because children are not disciplined the Town has to spend this extra money. He is not in favor of this purchase.

**Bill Ogden**, 137 Branford Street, asked where the teacher was who was supposed to be watching the children when they were walking to Charter Oak Park. He also asked who evaluated the properties the Town will be purchasing.

**Chairman Howroyd** explained that the assessment was done by Town Staff. Appraisals need to be done in order to qualify for the State reimbursement.

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

- I. Approval of an ordinance authorizing the purchase by the Town of Manchester of premises known as 11 School Street for the sum of Five Hundred Thousand (\$500,000) Dollars, from M. Stephens Co., LLC. to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

**General Manager Shanley** explained that two appraisals were done on this property.

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

**Milt Perlman**, 3 Sanford Road, stated that whether or not the Town gets reimbursed a percentage from the State, it is still tax money. The president of the PTA believes that the sixth graders should remain in the elementary schools now that they are back in there.

**Bob Samuelson**, 108 Hemlock Street, gave the measurements and acreage of 11 School Street. The cost per square foot is \$519, plus demolition. This building was built in 1800. Where do you find a comparable value for that vintage of house? Mr. Samuelson is not comfortable with this purchase.

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

- J. Approval of an ordinance authorizing the purchase by the Town of Manchester of premises known as 63 Wells Street for the sum of Two Hundred Fifty Thousand (\$250,000) Dollars, from Angelica Ruiz and Roberto Ruiz, Jr. to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

**General Manager Shanley** explained that this property is smaller than the others, which accounts for the difference in price.

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

- K. Approval of ordinance authorizing the purchase by the Town of Manchester of premises known as 55 Wells Street for the sum of Three Hundred Forty-Nine Thousand Four Hundred Thirty-Two (\$349,432) Dollars, from Darrell M. Holley to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

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

- L. Approval of ordinance authorizing the purchase by the Town of Manchester of premises known as 49 Wells Street for the sum of Three Hundred Fifty Thousand (\$350,000) Dollars, from Arthur J. McGowan, Jr. and Audrey A. McGowan to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

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

**RECESS**

The Board took a brief recess at 10:15 p.m. and returned at 10:27 p.m.

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

**Nine Voted in Favor**

**9. CONSENT CALENDAR.**

**Director Topping** requested the removal of items 8.H, 8.I, 8.J, 8.K, and 8.L.

**Director Sheridan** suggested the addition of item 12.A

- 8A. Appropriations to Special Grants Fund as follows:
  - 1. State Asset Forfeiture.....\$2,746  
for continuing narcotics investigations, equipment and training to be financed by proceeds from narcotics investigations.
  - 2. State Asset Forfeiture.....\$1,976  
for continuing narcotics investigations, equipment and training to be financed by proceeds from narcotics investigations.
  - 3. Manchester Dog Pound, Animal Control.....\$192  
to be financed by a donation from Luv My Pet, Inc. which is gratefully acknowledged and accepted.

4. Public Safety – Police Department (SG014).....\$15,000  
to benefit the Department as deemed necessary to be financed by donations  
(\$10,000 and \$5,000) from anonymous donors which are gratefully  
acknowledged and accepted.
5. Public Safety – Police Department (SG014).....\$5,000  
for the K-9 unit to be financed by a donation from an anonymous donor which  
is gratefully acknowledged and accepted.
6. Children’s Garden at Northwest Park.....\$200  
for the Children’s Butterfly Garden to be financed by a donation from the  
Perennial Planters Garden Club, which is gratefully acknowledged and  
accepted.
7. Manchester Public Library, Donation Trust Fund Account 755.....\$3,000  
to be financed by a donation from the SBM Foundation for the “One Book”  
program which is gratefully acknowledged and accepted.
8. Public Safety – Bioterrorism.....\$48,500  
to be financed by a grant from the State of Connecticut.
9. Federal Asset Forfeiture.....\$2,133  
for continuing narcotics investigations, equipment and training to be financed  
by proceeds from narcotics investigations.
- 8B. Appropriation in Wastewater Treatment Plant UV Treatment project.....\$500,000  
to be funded by a Tyco Settlement Agreement as outlined in a July 16, 2004  
memorandum from the Water and Sewer Administrator, a June 19, 2006  
memorandum from the Action Water and Sewer Administrator, and as authorized  
at the August 3, 2004 Board of Directors meeting.
- 8C. Appropriation in General Fund – Transfer to Capital Projects Fund.....\$425,000  
and subsequent transfer to CP345 (MHS renovations) for roof work at Manchester  
High School to be funded by General Fund Designated Fund Balance set aside for  
that purpose.
- 8D. Appropriation to Open Space CP346.....\$60,840  
for the purchase of additional open space parcels to be funded by a reimbursement  
grant from the State of Connecticut Department of Environmental Protection related  
to the acquisition of the “Peterman” property adjacent to Case Mountain.
- 8E. Appropriations to Education Special Projects as follows:
  1. Increase in Adult Education Grant (FY 05/06).....\$4,298  
to be financed by a grant from the State of Connecticut.
  2. Increase in Appropriation for Medicaid (FY 05/06).....\$78,300
- 8F. Appropriation to Capital Improvement Reserve-Public Works Equipment...\$44,386  
to be funded from the Sale of Surplus Equipment.
- 8G. Appropriation to Cemetery Trust Fund.....\$12,426  
to be funded from rental income on Hillstown Road property.
- 12A. Settlement of claim of Herbert Duley in the amount of \$18,543.72.
- 12E. Authorization for the General Manager to enter into and amend an Agreement  
between the State of Connecticut Department of Transportation and the Town of  
Manchester for the Design, Construction, Inspection and Maintenance of Safety  
Improvements to Tolland Turnpike at Slater Street utilizing Federal Funds under the

- Hazard Elimination Component of the Surface Transportation Program.
- 12F. Approval of job description for position of Early Childhood Specialist.
  - 12I. Acceptance of a resignation of Charles Crocini (R) from the Building Committee with a term expiring November 2007.
  - 12K. Acceptance of a resignation of Leo Belval (R) from the Building Committee with a term expiring November 2007.

**Director Sheridan moved and Director Topping seconded the motion to adopt the consent calendar.**

**Nine Voted in Favor**

#### **10. ACTION ON ITEMS OF PUBLIC HEARINGS.**

- 8H. Approval of ordinance authorizing the purchase by the Town of Manchester of premises known as 11-13 Vine Street for the sum of Three Hundred Fifty Thousand (\$350,000) Dollars, from German Ochoa and Rosa Umana to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk's office during business hours.

**Vice-Chairman O'Neill** asked if there is any urgency in approving this tonight. General Manager Shanley explained that the timeframe of the project has become an issue due to the number of other plans attempted and resisted. Vice-Chairman O'Neill also asked for verification that the budget of the Bennet project is on target at this point. Ms. Guarnaccia believes the project is within the budget and the contingency fund is intact. Vice-Chairman O'Neill asked if the Charter Oak fields will still be maintained as athletic fields even though the schools will no longer be using them. Ms. Guarnaccia answered in the affirmative.

**Chairman Howroyd** reviewed the history of the Bennet project. The project did include property acquisitions as part of the original budget. The Board has considered an alternative plan that would not have required the purchase of as many properties as are being acquired, however that would have required use and demolition of buildings in the Historic District. This Board has considered a number of alternatives.

**Director Topping** stated it is not his intention to hold this project up, but would feel more comfortable to have appraisals completed on these properties.

There was a discussion among the Board members on the merits of having appraisals completed and the comfort level of Board members and the public as to whether the Town is paying a fair price.

**Director Sheridan moved and Director Hachey seconded the motion to adopt this item.**

**Nine Voted in Favor**

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

**Secretary Zingler moved and Director Topping seconded the motion to suspend the rules.  
Nine Voted in Favor**

- 8I. Approval of an ordinance authorizing the purchase by the Town of Manchester of premises known as 11 School Street for the sum of Five Hundred Thousand (\$500,000) Dollars, from M. Stephens Co., LLC. to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk’s office during business hours.

**Director Hachey moved and Director Sheridan seconded the motion to adopt this item.  
Six Voted in Favor  
Sheridan, Hachey, Zingler, O’Neill, Peak, and Pelletier  
One Voted Against – Topping  
Two Abstained – Spadaccini, Howroyd**

- 8J. Approval of an ordinance authorizing the purchase by the Town of Manchester of premises known as 63 Wells Street for the sum of Two Hundred Fifty Thousand (\$250,000) Dollars, from Angelica Ruiz and Roberto Ruiz, Jr. to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk’s office during business hours.

**Director Hachey moved and Vice-Chairman O’Neill seconded the motion to adopt this item.  
Nine Voted in Favor**

- 8K. Approval of ordinance authorizing the purchase by the Town of Manchester of premises known as 55 Wells Street for the sum of Three Hundred Forty-Nine Thousand Four Hundred Thirty-Two (\$349,432) Dollars, from Darrell M. Holley to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk’s office during business hours.

**Secretary Zingler moved and Vice-Chairman O’Neill seconded the motion to adopt this item.  
Nine Voted in Favor**

- 8L. Approval of ordinance authorizing the purchase by the Town of Manchester of premises known as 49 Wells Street for the sum of Three Hundred Fifty Thousand (\$350,000) Dollars, from Arthur J. McGowan, Jr. and Audrey A. McGowan to be funded by Bennet/Illing Middle School Bond Issue (CP347). A copy of the proposed ordinance may be seen in the Town Clerk’s office during business hours.

**Secretary Zingler moved and Director Sheridan seconded the motion to adopt this item.  
Nine Voted in Favor**

**11. UNFINISHED BUSINESS.**

- 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	Vacancy	November 2008
Commission on Aging	Charlene Southergill, 8 Hendee Rd (R)	November 2008
Human Relations Commission	Alfred Meek, 124B2 Park St (R)	November 2008

**Director Topping moved and Secretary Zingler seconded the motion to table this item.  
Nine Voted in Favor**

- B. Approval of the Manchester L.I.F.E. Scholarship.

**Secretary Zingler moved and Director Peak seconded the motion to table this item.  
Nine Voted in Favor**

- C. Appointment of a member to the Housing Commission (R) with a term expiring November 2006.

**Director Spadaccini moved and Secretary Zingler seconded the motion to table this item.  
Nine Voted in Favor**

- D. Appointment of a member (D) to the Commission for People with Disabilities with a term expiring November 2007.

**Secretary Zingler moved and Director Topping seconded the motion to table this item.  
Nine Voted in Favor**

**12. NEW BUSINESS**

- B. Approval of subdivision review and inspection fees as proposed by the Public Works Department.

**Director Sheridan moved and Director Topping seconded the motion to table this item.  
Nine Voted in Favor**

- C. Discussion of cemetery rates.

**Director Sheridan moved and Secretary Zingler seconded the motion to table this item.  
Nine Voted in Favor**

- D. Resolution to apply for financial assistance and authorize the General Manager to execute all documents necessary to make application to the State of Connecticut Department of Economic and Community Development for \$412,000 in order to undertake the Broad Street Streetscape Improvement Project and to execute an Assistance Agreement.

**Secretary Zingler moved and Director Topping seconded the motion to adopt this item.  
Nine Voted in Favor**

- G. Appointment of Ad Hoc Committee to review Code of Ethics.

**Chairman Howroyd** would like to hold a discussion about what the charge of this committee will be and its composition. The Board is not fully prepared to make the appointments to this committee at this point.

**Director Hachey** does not think this is a good idea because a couple items conflict with the Town Charter. He does not feel this is a policy matter, but more of a procedural matter. Ethics are just common sense. Director Hachey stated that the ethics portion of the Town Charter is loose and unclear. There absolutely has to be a Charter Revision Committee.

**Director Topping** thinks there should be a definite timeline for the Code of Ethics Committee.

**Director Spadaccini** agrees there should be a deadline for the appointed committee. The committee should be comprised of members of the Board of Directors, the Board of Education, the Ethics Commission, and Town staff. The intention is not to do anything that conflicts with the Town Charter. Ethics consists of much more than doing business with the Town.

**Director Sheridan** has reviewed the draft Code of Ethics and found that 90-95% of it does not conflict with the Town Charter. The draft is an excellent framework for discussion by this group. Director Sheridan thinks the Board should go ahead with an ad hoc committee.

**Director Pelletier** sees the Code of Ethics as a guideline. She disagrees with Director Hachey about being able to do business with the Town. We do not want to discourage business leaders in Town from serving on our Boards and Commissions.

**Director Hachey** passed out a copy of the ethics portion of the original Town Charter.

**Secretary Zingler moved and Director Spadaccini seconded the motion to table this item.  
Nine Voted in Favor**

- H. Appointment of an alternate member (R) to the Board of Assessment Appeals with a term expiring November 2008 (to replace William Overton).

**Director Spadaccini moved and Director Pelletier seconded the motion to appoint Terry Werkhoven, 88 Santina Drive.**

**Nine Voted in Favor**

- J. Appointment of a member (R) to the Building Committee with a term expiring November 2007.

**Director Spadaccini moved and Director Pelletier seconded the motion to appoint Gary Benson, 28 Gardner Street West.**

**Nine Voted in Favor**

- L. Appointment of a member (R) to the Building Committee with a term expiring November 2007.

**Director Spadaccini moved and Director Pelletier seconded the motion to appoint John Cunnane, 92 Adelaide Road.**

**Nine Voted in Favor**

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

**Director Hachey** is upset by the comments made by Steve Petow about moving out of Town. He asked the General Manager to review to his concerns and get some answers to his particular objections.

**Vice-Chairman O'Neill** would like to see a smoking policy on Town property put on the agenda for next month. She is working with an organization to develop a draft to bring to the Board. She also suggested the coordination of community service projects within the schools with different projects that need to be completed around town. She requested that the Town coordinate with the Board of Education.

**Director Topping** would like to meet with the legislative delegation to find out what they are doing and have discussion on some issues. He requested that a meeting be set up. Chairman Howroyd will invite them.

**Director Peak** asked if it would be possible for Town staff to get the Board an estimate of what it would cost to use the Clean Energy Program. Ms. Guarnaccia said that she could.

**Director Pelletier** would like an update on the liquor license approved for the movie theatre.

**Secretary Zingler** agrees it is time to get the legislature in for a meeting. He has noticed several Town vehicles at local garages and would like to know why fleet maintenance is being outsourced. Secretary Zingler also would like to move forward with a volunteer appreciation picnic for sometime in September.

**14. EXECUTIVE SESSION.**  
A. Land acquisition.

The Board went into Executive Session for discussion of land acquisition at 12:01 a.m. and returned at 12:45 a.m. No votes were taken.

**Director Hachey moved and Secretary Zingler seconded the motion to go into Executive Session.**

**Nine Voted in Favor**

**15. ADJOURNMENT.**

The meeting was adjourned until the August 1, 2006 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

**Director Spadaccini moved and Director Hachey seconded the motion to adjourn.**

**Nine Voted in Favor**

**Adjournment: 12:45 a.m.**

gem

**APPROVE:**

**ATTEST:**

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**Secretary, Manchester Board of Directors**