

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
SEPTEMBER 5, 2017 – 7:00 P.M.
LINCOLN CENTER HEARING ROOM
ONE MEETING AGENDA

PRESENT: Mayor Moran, Deputy Mayor Hackett, Secretary Kissmann, Directors Devanney, Eckbreth, Galligan, Gates, Jones and Nye.

ABSENT: General Manager Shanley

ALSO: Director of Administrative Services, Dede Moore and Town Attorney, Ryan Barry.

EXECUTIVE SESSION – The Board went into Executive Session at 6:30 p.m. to discuss Real Estate Negotiations and Security, and adjourned at 7:00 p.m. Present were Mayor Moran, Deputy Mayor Hackett, Secretary Kissmann, Directors Devanney, Eckbreth, Galligan, Gates, Jones and Nye; Director of Administrative Services, Dede Moore; Assistant Town Attorney, Tim O’Neil; Police Chief, Marc Montminy and Town Engineer, Jeff LaMalva. No votes were taken.

1. MEETING CALLED TO ORDER.

The meeting was called to order at 7:07 p.m. All in attendance participated in The Pledge of Allegiance to the Flag, led by Mayor Moran.

Mayor Moran stated that General Manager Shanley will not be at tonight’s meeting but that Director of Administrative Services, Dede Moore, will sit in.

2. AWARDS AND PRESENTATIONS.

A. Public Safety Award (Senator Cassano)

Mayor Moran introduced Senator Cassano who is here to present two public safety awards.

Senator Cassano indicated that in addition to the awards the Senate presents to Veterans, they will also honor citizens throughout the State who deal with substance abuse. He is here tonight to present awards to Chief Marc Montminy and Sarah Howroyd for their work with opioid abuse in Manchester and surrounding communities. Chief Montminy also arranged for the local hospital staff to work with the Police Department on this crisis. Senator Cassano is extremely proud of the work they have both done.

The Citation for Chief Montminy reads: “Be it hereby known to all that the Connecticut Senate hereby offers its sincerest congratulations to Chief Marc Montminy in recognition of your efforts to raise awareness and affect change in our community regarding opioid abuse, treatment and prevention. Through your hard work and dedication you have brought Manchester together to confront these difficult issues as a community. Thank you for all you have done to improve public safety in our town and for the many things you will accomplish in the future. The entire membership extends its best wishes on this memorable occasion and expresses our hope for continued success, given this Fifth day of September, 2017.”

He recalled that Chief Montminy made it very clear at one of the first meetings that we should treat first and arrest second. That's a philosophical change that Manchester needed and he commended Chief Montminy for having the guts to do that. Though some were opposed to that philosophy, most now agree with it. He congratulated Marc on this award.

Senator Cassano continued, saying though we know Marc as our Police Chief some of us don't know Sarah Howroyd as one of our citizens. Sarah can tell you about opioid abuse as she has been through it. She is an example of hard work and recovery. She has an unbounded energy, sincerity and concern that I have never seen before. She recently earned her MSW from the University of Connecticut School of Social Work, and has committed her life to caring for other people.

He presented Sarah with her Citation which reads: "Be it hereby known to all that the Connecticut Senate congratulates Sarah Howroyd in recognition of your efforts to raise awareness and affect change in our community regarding opioid abuse, treatment and prevention. Through your hard work and dedication, you have brought Manchester together to confront these difficult issues as a community. Thank you for all you have done to improve public safety in our town and for the many things you will accomplish in the future." I offer you our sincerest congratulations.

Mayor Moran thanked Senator Cassano for his work on this serious problem in all our communities across the country. It took the Town of Manchester, our Police Department and volunteers like Sarah to have the courage to start this program and to partner with the hospital. We recognized Manchester had a problem and didn't turn away from it. This is a problem in every community with no wealth or race barriers. He thanked Chief Montminy and Ms. Howroyd for taking this on and for their continued hard work.

B. Proclamation: Paine's Inc.

Mayor Moran presented a proclamation to Paine's, Inc. which was accepted by Mike Paine, President of Paine's, Inc. On July 1, 2009 Paine's Incorporated assumed the contract from a previous collection contractor for the Town of Manchester. During the course of the 8 year contract, Paine's worked with the Town to help divert materials including covered electronic devices, tires, mattresses and box-springs, from the Manchester Landfill to alternate recycling and/or alternative disposal locations. The Town has received numerous unsolicited compliments and accolades from Manchester residents and Town Staff on Paine's performance and outstanding service in collecting trash, recycling, yard waste and bulky waste for 16,000 dwelling units on a weekly basis. He thanked Paine's Inc. management team and staff for their dedicated and efficient service to the Town of Manchester.

Mr. Paine commented that they were able to do what they did for The Town of Manchester because of the great staff of Paine's, Inc. He stated that in 4 years and 10 months the contract is coming back up and Paine's Inc. will be there, and hopefully be back to serve the Town.

C. Swearing in of new Youth Commission members and re-induction of current members.

Mayor Moran then asked Mr. Camposeo, Town Clerk, to join him at the podium to introduce this year's new members to the Youth Commission who will be sworn in this evening. He addressed the Youth Commissioners and stated that yesterday morning, Labor Day, he received a phone call at 10:00 a.m. from Dr. Saud Anwar at Manchester Memorial Hospital regarding a

patient in the ICU whose last wish was to marry his longtime girlfriend. The Mayor contacted Mr. Camposeo and Justice of The Peace, Michael Pohl. With the help of Mr. Camposeo and Assistant Town Clerk Lisa Irish, a marriage license application was processed. These employees went above and beyond the call of duty to come in on a holiday to ensure this man's wish was granted, and a marriage ceremony was performed. This is what being a dedicated public servant means to our community. He thanked Mr. Camposeo for his participation in this event.

Mayor Moran introduced the newly appointed Youth Commissioners, who were then sworn in by Mr. Camposeo. This is the future of our community, a very strong and diverse community. He congratulated the new commissioners.

3. OPENING OF MEETING TO ELECTORS OR TAXPAYERS WHO WISH TO BE HEARD ON ANY SUBJECT WITHIN THE JURISDICTION OF THE BOARD OF DIRECTORS. (Sign-up sheet available 15 minutes prior to the start of the meeting)

4. ADOPTION OF MINUTES OF PREVIOUS MEETING.

- A. Actions, August 8, 2017 – Regular Meeting
- B. Minutes, August 8, 2017 – Regular Meeting
- C. Minutes, August 22, 2017 – Policy Briefing Meeting

Gates/Galligan

Nine Voted in Favor

5. COMMUNICATIONS.

Director Gates commented that in follow up to the discussion at last month's BOD meeting, he noted the Dean Machine property on Colonial Drive has been significantly cleaned up. He thanked Attorney O'Neil for checking into this.

Mayor Moran noted the property of the former Tuxedo King has also been cleaned up and thanked Attorney O'Neil for taking care of this.

Deputy Mayor Hackett stated she, Director Devanney and Attorney O'Neil are on a subcommittee that surveyed all the Boards and Commissions in Manchester. The Youth Commission's responses to the survey stood out in their comments. Out of 24 Youth Commission members, the average attendance at their meetings is 23. That shows a great commitment by the youth of Manchester. The Youth Commission members are highly productive and dynamic, and are appreciative of the Board of Directors' support.

Mayor Moran indicated the new Youth Commission members will also be joining Government Academy this fall and will get an in-depth look at how the Town departments are run.

6. REPORTS.

A. Manager's Report

1. Rebuilding Together Update

Ms. Moore called upon Molly Devanney, Executive Director of Rebuilding Together, to give us an update on what Rebuilding Together has done in the last year.

Ms. Devanney stated a total of 75 projects were completed by 812 volunteers, including 38 groups, through Rebuilding Together in 2017. Completed projects include 10 roof replacements, 10 handicap ramps installed, 50 replacement windows installed and 11 exterior paint jobs completed. Sears National gave us a grant for \$25K for a Purple Heart recipient's kitchen remodel. Lowe's contributed a new kitchen for a blind couple at no cost to us. On National Rebuilding Day, 40 yard work projects were completed. The following day, she received an email from Integrated Rehabilitative Services about a brother and sister who live in town and needed help. With the help of many Town departments, community members and volunteers their house was completely gutted and redone.

Ms. Devanney is continuing to apply for grants to get more funding for these projects, and a new sponsorship packet will be put together. The application process began September 1st and Rebuilding Together has already received 15 applications.

Mayor Moran drove to several sites on National Rebuilding Day and noted the number of young people involved. The homeowners were very grateful for the work that was done. He thanked Ms. Devanney for her energy and passion as the new Director of Rebuilding Together. The Town of Manchester is reaping the benefits of her leadership and he looks forward to seeing this develop even further. Congratulations to all those involved in Rebuilding Together.

Deputy Mayor Hackett commented that this program has reached new heights. She stated the Red Cross was at the Peach Festival this year where she learned they have a smoke detector replacement program which may benefit Rebuilding Together. She will pass along the information to Ms. Devanney.

Director Jones asked if there was an accounting firm that provides services to Rebuilding Together and asked if there is an annual report.

Ms. Devanney stated that Phil Bambara, committee Co-Chair, has provided accounting services for Rebuilding Together. She thanked Co-Directors Liz Tracy and Scott Garman for their leadership. She would be happy to provide annual report information to the Board of Directors.

Mayor Moran congratulated Ms. Devanney for Rebuilding Together and is sure they will continue to do good work for Manchester.

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

A. Surveillance Camera System at the Police Department.

Ms. Moore stated there is a bid waiver for 13 new surveillance cameras at the Manchester Police Department, at a cost of \$17,939.55. A bid waiver is being sought to stay with our current vendor, Advanced Security Technologies, Inc. She explained that if another vendor were selected, the entire surveillance system would have to be replaced at a cost much greater than the cost of 13 new cameras.

8. PUBLIC HEARINGS (formally advertised).

8A.Appropriations to Special Projects as follows:

1. Preschool Development Quality Enhancement Grant (7/1/17 to 6/30/18)
(funded for 7/1/17 to 9/30/17 only) \$11,150
to be financed by a grant from the State Office of Early Childhood to expand
and improve high quality services in qualified School Readiness classrooms.
2. Youth Service Bureau – Local Interagency Service Team (LIST)..... \$17,000
to be financed by a grant from the Court Support Services Division
(CSSD)/Judicial Department.
3. Health Department - Public Health Emergency Preparedness
Special Grant (7/1/17 to 6/30/18) \$40,076
to be financed by a grant from the State of Connecticut, Department
of Public Health.
4. Older Americans Act Funds (Benefits Counseling) \$5,000
to be financed by a grant from North Central Area Agency on Aging to
provide benefits counseling to senior residents for the grant period
10/01/17 - 09/30/18.
5. Older Americans Act Funds (Transportation) \$4,000
to be financed by a grant from North Central Area Agency on Aging to
provide additional paratransit services for senior residents for the grant
period 10/01/17 - 09/30/18.
6. Federal Asset Forfeiture Account \$80,248
for continuing narcotics investigations, equipment, and/or training to be
financed by proceeds from narcotics investigations.
7. Landfill Gas Collection System \$784,407
to be financed by a grant from Connecticut DEP.

Mayor Moran opened the floor for public comment at this time. There being no public comment, the Mayor opened the floor for Board Members’ comments. There being no comments, the Mayor closed the public hearing on the above items.

8B.Revenue and Expense Appropriation to 901/903 Main Street..... \$142,000
representing the estimated annual cost of operation for the facility for FY 17/18.

Mayor Moran opened the floor for public comment at this time. There being no public comment, the Mayor opened the floor for Board Members’ comments. There being no comments, the Mayor closed the public hearing on the above items.

9. CONSENT CALENDAR.

8A.Appropriations to Special Projects as follows:

1. Preschool Development Quality Enhancement Grant (7/1/17 to 6/30/18)
(funded for 7/1/17 to 9/30/17 only) \$11,150
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financed by proceeds from narcotics investigations.
 7. Landfill Gas Collection System \$784,407
to be financed by a grant from Connecticut DEP.
- 8B. Revenue and Expense Appropriation to 901/903 Main Street..... \$142,000
representing the estimated annual cost of operation for the facility for FY 17/18.
- 12A. Appropriation to Special Projects (under \$500) as follows:
1. Manchester Dial-A-Ride Program \$100
to be financed by a donation from Vaughn Johnston which is gratefully
acknowledged and accepted.
 2. Hockanum River Linear Park Special Grant Account..... \$235
to be financed by donations and revenue from the sale of t-shirts and
sweatshirts.
 3. Human Services Donation Account..... \$50
to be funded by a donation from Marsha Howland for backpacks and
school supplies which is gratefully acknowledged and accepted.

Galligan/Nye

Nine Voted in Favor

10. ACTION ON ITEMS OF PUBLIC HEARING.

11. UNFINISHED BUSINESS.

- A. Appointment of a member to the Redevelopment Agency with a term expiring
November 2020 to fill the vacancy left by Richard Cormier (D).

TABLED – Appointment of a member to the Redevelopment Agency with a term expiring
November 2020 to fill the vacancy left by Richard Cormier (D).

Gates/Eckbreth

Nine Voted in Favor

- B. Continued Discussion: Charter Required Establishment of Town Clerk’s Salary for four year
period (January 1, 2018 – January 3, 2022).

Attorney Barry presented a legal opinion and background material was provided to the Board of Directors regarding the Town Clerk's salary. The Board of Directors needs to set the Town Clerk's salary before the upcoming election. The Board recently relied on a fixed schedule that established a base salary of \$60K with an increase of 3% for each year of service. He was recently asked what would happen if the current Town Clerk were to leave mid-term. Case law holds that in an elected office, as opposed to an appointed office, you cannot reduce the salary of an elected office during the term for which that person was elected. While the Board of Directors is free to use any method or formula to arrive at a salary, it must be a fixed numerical amount at the beginning of the Town Clerk's new term. That amount attaches to the position and not to the individual for the full term. The legal opinion issued by Attorney Barry reflects the rule of law as well as a review of the previous term's salary established by the Board of Directors, which was in conflict with the law.

Mayor Moran thanked Attorney Barry for his legal opinion and backup information. He confirmed with him that the Town Clerk's salary must be set by the October Board of Directors' meeting, before the November election.

Director Eckbreth stated our current Town Clerk has been serving for a number of years. He worked his way up to the salary he is currently at, and should continue to receive that salary, especially with his retirement benefits taken into consideration. When looking at the salaries presented tonight, his salary is commensurate with other Town Clerks who have served the same amount of time. This discussion began in anticipation of a possible new individual filling this position if the current Town Clerk retires during this upcoming term. We do not have a charter that specifies trainings, certifications or years of service required to hold this position, so \$60K is a fair starting range for a newly appointed Town Clerk.

The Board had set the position up with a \$60K starting salary, which was raised incrementally dependent on years of service. With those provisions in place, it isn't clear why an incumbent Town Clerk would begin at the same starting salary that the current Town Clerk is at. The Board's amendment was based on someone new starting in that position. She is unsure how to proceed with this to try to establish the Board's original intent and asked if Attorney Barry was indicating they needed to do something different. She also asked if longevity bonuses could be worked in if we have a fixed base salary amount, like in other positions.

Attorney Barry indicated he is recommending the Board change the salary to a fixed numerical figure. In compliance with corporate law, compensation on elected officials must be fixed. It would be against his legal advice to do other than a fixed numerical amount. He stated longevity bonuses cannot be worked into the salary because it's not a merit based position; it's an elected position. That is specifically what the case law talks about.

Director Eckbreth asked if we would have to go back to a charter revision and referendum in order to require this position have certain certifications or experience. Though we cannot have a charter revision in time for this election, we certainly could have one for the next 4-year term. We could set the numerical value at what the current Town Clerk's salary is and make a charter revision within the term.

Attorney Barry stated a Town Clerk could be an appointed position rather than an elected position. The salary could be set at what the current Town Clerk makes for the upcoming 4-year term and be revised to go into effect for the following term through Charter revision.

Mayor Moran clarified that whatever the salary the Board of Directors sets for this upcoming 4-year term will be set for whoever is in the position of Town Clerk. He added that the salary we set may determine who runs for the position.

Director Gates stated that once we set a salary before the November election, whoever wins that office will get that set salary for the 4-year term, regardless of turnover in that position. We need to set the salary much earlier than it is being set for this election. Setting the salary for November is very person-specific in this case as there is only one candidate, running unopposed.

Director Jones asked if the background salary information is for full-time town clerk positions. She also asked if there are other benefits that attach to the position. The last time we had this discussion, we talked about comparable responsibilities and supervision to other department heads. She asked that the Board of Directors be provided additional information to make a more educated decision.

Ms. Moore responded that the background data provided is for full-time positions. When the list was created, we took into account length of service. The current Town Clerk receives a defined contribution, annual leave, sick days and health benefits, similar to those of Department Heads through the unaffiliated overview.

Secretary Kissmann stated the current Town Clerk got to the salary he is at after 21 years of service.

Director Nye stated that although we are currently providing health insurance, vacation time and the defined benefit plan to the current Town Clerk, she wondered if we would be required to give the same benefits to the next candidate coming in to the position. She questioned if we could set the salary a little higher than we would normally give a new person but not give them all the current non-salaried benefits. We would need to figure out the value of the non-compensatory benefits for this process.

Attorney Barry stated the Code of Ordinances indicates the individual holding the office of Town Clerk is expressly included in the Town's pension ordinance but that's only one part of the non-compensatory equation that is required. He believes the other non-compensatory benefits deal with statute 7-460, which states any municipality through its legislative body may fix the compensation of its officials and employees subject to approval of its budget authority. The authority is given to the Town to provide any non-salary compensations they deem appropriate. He would need to look at this more closely.

Ms. Moore added that when the current Town Clerk took office in 1996, he was treated as a Department Head. The unaffiliated employment overview is date-sensitive. The benefits for a Department Head hired in 2017 are not as rich as they were for a Department Head hired in 1996.

Director Eckbreth agrees that if the Town Clerk's position is full-time with comparable supervisory responsibilities and duties, that the salary should be commensurate with other Department Head positions. The current Town Clerk has served more than 20 years, obtained his certifications and managed the position as if he were a Department Head. Other individuals before him in that position did not do that. She would like to see some minimum requirements and qualifications put in place for this position. Town Clerk positions are now more

sophisticated; they handle Town records and IT information, and it is a much weightier job than it was 20 years ago. It's incumbent upon us as leaders of the Town to look at that information and ensure that whoever runs for this position meets minimum requirements and uphold what we envision this job to be. This should be sent back for a charter revision and into our community to weigh in on.

Vice Chair Hackett indicated the more objective information we have and the more we understand the scope of the Town Clerk's duties, the more it would help us define the role. It would help us decide what we need to look at for Charter revision. We should reach out to credentialing organization for town clerks who would have a good point of view to offer in terms of what the role definition is. We need to do some more work on this and be able to define what requirements we want for this position.

Mayor Moran indicated he would like to have as much information as possible before the October Board meeting so we can decide what to set the salary at for the next four years. Unfortunately charter revision cannot be done within a month, but can be in place for future terms. The scope and parameters of the position have changed over the years. He suggested that the Board members direct any additional questions to Attorney Barry prior to the October meeting.

Attorney Barry reminded the Board members that we are dealing with only salary at this time, as the benefits are non-salary.

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

Ms. Moore explained we deferred sending out the motor vehicle bills until October 1st. We have held next Tuesday, September 12th at 7:00 p.m. for the Board of Directors to meet and discuss the motor vehicle tax bills and decide whether we will be sending them out for October 1st.

Ms. Lord, Director of Finance, indicated the information would need to get out to the software company by September 18th in order for the bills to go out on October 1st.

Vice Chair Hackett would like to get an update in the near future on what we are doing to address the opioid crises. We are aware of the work of the HOPE program that was presented at our policy briefing meeting and the two individuals who started that program were presented with awards this evening. She would like an update on the trends and numbers for Manchester, and would like to have someone from the medical community participate in that discussion.

Director Galligan reiterated that Chief Montminy and Sarah Howroyd have been doing a great job with their work on the HOPE initiative. He reminded everyone that Monday, September 11th is the sixteenth anniversary of the 9/11 tragedy and there is a piece of the North Tower at the Firefighters' Memorial Garden where there will be a memorial service on Monday, September 11th at 9:00 a.m. He attended last year and it was very impactful and a great way to pay tribute to all those who lost their lives on that day.

Mayor Moran agreed that it is a very moving ceremony and thanked Director Galligan for the reminder.

14. ADJOURNMENT.

The meeting was adjourned until the September 12, 2017 Special Meeting of the Board of Directors at 7:00 p.m. at the Lincoln Center Hearing room.

Galligan/Eckbreth

Nine Voted in Favor

Adjournment: 8:40 p.m.

lgl

APPROVED:

ATTEST:

Secretary, Manchester Board of Directors