

**MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
JUNE 6, 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

ALSO: General Manager Shanley and Town Attorney Ryan Barry

EXECUTIVE SESSION – The Board went into Executive Session at 6:30 p.m. to discuss Real Estate and Security, and adjourned at 7:10 p.m. Present were Mayor Moran, Deputy Mayor Hackett, Secretary Kissmann, Directors Devanney, Eckbreth, Galligan, Gates, Jones and Nye, General Manager Shanley and Gary Anderson, Director of Planning and Economic Development. No votes were taken.

1. MEETING CALLED TO ORDER.

The meeting was called to order at 7:15 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Mayor Moran.

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. (Sign-up sheet available 15 minutes prior to the start of the meeting)

Barbara Armentano, 19A Esquire Drive, stated she has been a member of the Manchester Band Shell for 35 years. When she moved to Manchester, she was impressed by all the different activities in the community, including those offered at the Manchester Bicentennial Band Shell. She and her family have been to many events at the Band Shell and she hopes that the Board's decision is in favor of renewing the lease at the Band Shell.

4. ADOPTION OF MINUTES OF PREVIOUS MEETING.

- A. Actions, May 2, 2017 – Regular Meeting
- B. Minutes, May 2, 2017 – Regular Meeting
- C. Actions, May 9, 2017 – Budget Adoption
- D. Minutes, May 9, 2017 – Budget Adoption

Gates/Eckbreth

Nine Voted in Favor

5. COMMUNICATIONS.

Director Eckbreth received communication from a town resident experiencing an issue with neighboring Town property that had been cleared which affected the privacy of her home. She then suffered an unfortunate break-in of her vehicle. Town staff worked with this resident to resolve her concerns in a very timely manner, and she was very pleased with the way Town staff handled the complaint. She wanted to pass on a thank you to the Town staff and the General Manager who ensured this issue was resolved timely and appropriately. This was a great example of Town staff working together with residents when issues arise.

6. REPORTS.

- A. Manager's Report
- B. Public Works Bond – proposed draft

General Manager Shanley stated the Board of Directors discussed options for the Public Works Bond Referendum at their last meeting. Tonight there is a refined \$13M referendum proposal for Board discussion which includes \$8M for roads, \$1.5M for sidewalks, \$2.25M for parking lots, \$500K for Center Springs dredging and \$600M for Union Pond Dam Repairs. This amount will ensure the roads on the Core List should all get done; the Alternate List contains roads that will be done if the funds remain available. Jeff LaMalva, Town Engineer, is here to respond to questions.

Director Gates asked if the \$500K for Center Springs Pond Dredging combined with the amount previously passed is enough to begin Phase I of that project or if we need to wait.

Mr. LaMalva indicated it makes sense to wait; the majority of the sediment is on the southern part of the pond and to do that you need to build a road, and you wouldn't want to incur that cost twice. There are also permitting restrictions, which make it more feasible to do it as one project.

General Manager Shanley stated that in one way it is phased in, as it has been engineered and we have applied for the permits from the Army Corps of Engineers, which is a lengthy process.

Mayor Moran asked for a breakdown of the \$2.25M parking lot cost and asked if the amount had gone up since this was first discussed.

General Manager Shanley stated that when Illing was discussed 5 years ago, the cost was under \$1M; the cost for Illing now is \$1.12M.

Director Eckbreth asked what the timeline is for the pond dredging if put on the referendum and passed. She recently received some complaints about the litter that is now exposed due to some of the work being done in that area. She also asked if the sidewalk and road work will be done at the same time.

Mr. LaMalva indicated the timeline for the dredging project is next summer, because of the permitting restrictions. The road and sidewalk work is being coordinated.

General Manager Shanley indicated the ideal timeframe for this bond referendum is to put it on the July Board meeting as a public hearing. The Board would ideally approve it in July, August at the latest, and then a referendum question would need to be submitted to the Secretary of State the first week of September.

Director Devanney has received communication from residents on nearly every sidewalk on the list. He asked for clarification on what streets are on the Core List.

Mr. LaMalva indicated all the streets that were shown in red as high priority last year are on the Core List, except for Birch Street, Brainard Place and Johnson Terrace which were taken off due to upcoming sewer work.

General Manager Shanley stated there is a Press Release going out announcing the completion of the bid process for curbside trash and recycling collection. The winning bid came from All American Waste, who was our vendor up until 7 years ago when the current vendor Payne's outbid them. We're very fortunate to have two excellent providers bidding for our work. Effective July 1st, under our new contractor, bulky waste free pickups will be limited to 2 per year, with subsequent pickups at a cost of \$40 each. Bulky waste can be brought to the transfer station for a nominal fee, currently \$2.00. Pick up will no longer include scrap metal, motor oil, car batteries and tires. Beginning next Spring current tipper containers will be replaced with 65-gallon containers.

Director Jones stated she has heard some citizens' concerns about possible increased dumping with the 2 per year limit for bulky waste pickup. She'd like to see a protocol for accepting and dealing with citizen complaints about this.

General Manager Shanley indicated approximately 92% of all residents do 2 or less bulky waste pickups per year. The 2 per year limit is to manage those who take advantage of the process.

Vice Chair Hackett stated that she and Director Devanney were involved in evaluating the bid, and said we will need to come up with a formal roll-out program. She would like to form a citizens' advisory group to figure out how to be more adaptive to the changes, and be more conscientious about waste management, including a roll-out to school age children.

Director Eckbreth receives quite a few complaints about trash dumping, partly due to the number of retail and fast food restaurants in Manchester, whose trash ends up in our neighborhoods. As a Board, we need to be aware that if we reduce the number of bulky waste pickups, we may see an increase in trash dumping. She suggested a policy to address the issues that may arise from this, and talked about putting together business/town partnership coalitions for trash pick-up in the hardest hit areas, and stated we need to be aware of the issue because it makes a difference in the quality of our lives.

General Manager Shanley stated that is a good topic for the subcommittee, including revisiting the transfer station rules.

Directory Nye asked if there is a Town program set up for people who need to do community service tied in with the court system to pick up trash. She'd like to see something set up if not already existing.

Secretary Kissmann recalled a program where the Fire Marshal's office used to have citizens come to the Fire Department to work off community service time, arranged through the Attorneys. The issue is managing the people.

C. Other Reports.

General Manager Shanley stated the Manchester Garden Club has asked if they can plant a tree to replace the giant oak tree in front of the Town Hall that came down 5 years ago in the storm. He has approved this request.

General Manager Shanley explained that when the budget was passed, the budget resolution regarding the motor vehicle tax bills gave us the flexibility to charge 32 mills, 37 mills or anything in between. It's clear to us now that by July 1st we will still not know what the State mill rate is. The current State law is 32 mills, though there is a strong indication the State will raise it to 37 mills. We don't believe we should send out a tax bill for 37 mills when the State law is 32 mills.

One option is to send out a tax bill at 32 mills and then if the State mill rate changes to 37 mills send a supplemental tax bill. Another option, which may be the most rationale, is to delay sending out the motor vehicle tax bill until October 1st when we will have the State budget and will know what the State mill rate is. The Town Attorney's office is currently doing legal background work to confirm that that is an option. If that is the option chosen, the Board would need to meet before the end of June in order to amend the budget resolution to allow for billing the motor vehicle taxes later than July 1st. If not, we should bill for 32 mills in July and then send a supplemental bill once we know the State budget. This would require a public hearing because of the change in the budget resolution with respect to the date the motor vehicle tax bill would be sent.

Director Eckbreth asked if sending a second motor vehicle bill in January is an option, when the second property tax bill is sent.

General Manager Shanley explained a second motor vehicle tax bill can be sent in January, but indicated there may be confusion with this. He noted the Board of Directors needs to make this decision before the end of June.

Director Jones asked if we had information about what the average supplemental tax bill would be and also what the cost of processing a second bill would be.

General Manager Shanley stated that waiting has more of an impact on the fire fund than it does on the general fund. For the general fund, there is an impact of approximately \$1M and for the fire fund the impact is \$1.2M.

Director Nye asked is there is a cash flow impact if we do not bill in July. She also asked if the Eighth Utilities District would be impacted by what we do.

General Manager Shanley indicated real estate and personal property make up 92% of our revenue. He stated that the Eighth Utilities District would not be impacted by what we do, but would be impacted similarly.

Ms. Lord, Director of Finance, indicated that if we only send one bill out in January there may be cash flow issues. Billing in October is reasonable and should not have a cash flow impact. She also noted that we should know the State mill rate at that time.

7. PRESENTATION OF BID WAIVER REQUESTS.

A. Agreement for municipal recycling services.

General Manager Shanley stated our current disposal of trash is at the MIRA waste energy plant in Hartford. Beginning last year, MIRA stopped making payments for recyclables. They accept recyclables at no charge, so we are saving \$72/ton by recycling rather than trashing. Murphy Road Recycling, owned by the same company as our new trash collection group, has offered a 5-year contract to take our recycling at \$5/ton, whereas if MIRA were to dispose of it we would get no payment. Our recommendation is to accept the offer and enter into a 5-year agreement with Murphy Road Recycling, who accept the recycling right next to where our trash is dumped to burn.

Mr. Kearney added that the \$22/ton we were getting is down to \$5/ton in the form of a rebate we will be getting from them instead of paying them. So we had the option of giving it away for free or getting \$5/ton.

General Manager Shanley indicated the rebate would be about \$22.5K a year in revenue, and that we save \$72 for every ton we recycle. The recycling market has been challenging over the past 3 years, and we should take the offer to get \$5/ton for it plus saving the tipping fee.

8. PUBLIC HEARINGS (formerly advertised)

A. Appropriations to Special Projects as follows:

1. Older Americans Act Funds (Transportation) \$5,000
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 10/01/16-09/30/17.
2. Older Americans Act Funds (Benefits Counseling) \$3,000
to be financed by a grant from North Central Area Agency on Aging to provide benefits counseling to senior residents for the grant period 10/01/16-09/30/17.
3. Human Services – Health Department..... \$580
to be financed by registration payments from a CPR training class toward maintenance of existing AEDs.
4. Federal Asset Forfeiture Account \$28,750
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
5. State Asset Forfeiture Account \$1,130
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
6. Recreation Department Special Activities Fund..... \$2,450

to be financed by a donation from the Mayor's Program for Manchester Children (\$700) and a grant from the SBM Charitable Foundation (\$1,750) to support the annual Children's Fishing Derby and the Senior Citizen's Fishing Derby which are gratefully acknowledged and accepted.

7. Office of Neighborhoods and Families..... \$600
for the Spruce Street Community Garden to be financed by donations from the Clarence Jeffers Trust in memory of John T. Jeffers (\$300) and LifeSong New England (\$300) which are gratefully acknowledged and accepted.
8. Hockanum River Linear Park Special Grant Account..... \$605
to be funded by donations in memory of Doug Smith (\$565) and a donation in memory of Harold Scheid (\$40) which are gratefully acknowledged and accepted.
9. Family History Day..... \$1,050
to be financed by donations which are gratefully acknowledged and accepted.
10. Information Systems Reserve \$50,800
to be financed by Information Systems unallocated reserves, for completion of the implementation of an IP telephony system for Town government offices.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

B. Appropriations to Education Special Projects as follows:

1. Washington Elementary School..... \$713
to be financed by a donation from Reading Railroad Company LLC to enhance reading programs.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

C. Approval of revisions to water and sewer rates, charges and fees.

General Manager Shanley indicated the rates and fees are consistent with the previously approved budget.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

- D. Appropriation to FY 2017-2018 Police Special Services Fund..... \$1,100,000
to be financed by fees received from outside contractors using officers for
private duty.

General Manager Shanley explained that when a Police Officer is hired for private duty, they are acting with all the authority and rights of a Police Officer. They are working for the Town of Manchester; however, they are being paid by the company doing the work. The company pays this fund and the Town of Manchester pays the officer. There is also a stipend paid for the police car.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

- E. Appropriation to Public Works Reimbursed Overtime Fund (FY 17-18)..... \$25,000
to be financed by fees received from outside contractors and private
developers for inspections and maintenance services performed by Public

General Manager Shanley indicated this is a similar arrangement to the Police Department; if the private sector is paying, they pay the Town of Manchester and we pay the employees.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

- F. Amending of Action No. 076-17 from the March 7, 2017 meeting to correct actual cash position at the time of approval.

General Manager Shanley commented that at the meeting prior to the Budget Adoption, the Board of Directors reassigned some capital project money to be turned into cash so it could be used in the upcoming budget. There is actually more cash there than anticipated. This amendment doesn't change any actions, it just rebalances the accounts.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

- G. Appropriation of deferred payments received from Bennett Housing refinancing.
 - 1. Town office building security \$140,000
 - 2. Capital reserve unappropriated \$300,000

General Manager Shanley stated the closing has occurred on the Bennett property and this represents the accrued land lease payments and pilot payments that were deferred until refinancing by actions of the Board of Directors over the years. At the time of the budget, it was suggested that once this money was received that a portion of it be appropriated to the capital fund as unappropriated, until we're clear about what the State budget is. It would then be available for the Board of Directors to assign to capital projects and if our budget numbers are not where they need to be, the funds would go to reserve. The capital reserve unappropriated, based on the final results, should be \$290,000, not \$300,000; so the amount will need to be amended.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

There being no further comments, Mayor Moran closed the public hearing on the above items.

- H. Approval of an ordinance regulating the trimming or removal of trees on private property by public utility companies. A copy of the ordinance may be seen in the Town Clerk's Office during normal business hours.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

Director Eckbreth stated the Town Attorney has been working on the ordinance based on prior discussions. The item was received by the Board of Directors at the end of May for review, which appoints a Tree Warden through the General Manager. It authorizes the Town's Conservation Commission to oversee this ordinance and fines \$100 under state general statutes for each offense that occurs under the ordinance. This should be tabled until next month to allow for Board of Directors' review.

ADOPTED: Motion to table item 8 H.

Eckbreth/Kissmann

Nine Voted in Favor

- I. Approval of Community Development Block Grant Proposed Annual Action Plan for Year 27 (October 1, 2017 – September 30, 2018).

General Manager Shanley stated that at the last meeting, the General Manager's recommendation was presented to the Board of Directors. At this meeting, a plan will

be adopted which will then go to a Public Hearing. Should there be any adjustments or amendments to the CDBG Proposed Plan, this is the time to make them and vote on them as an amendment.

Mayor Moran opened the floor for public comment at this time.

There being no further comment, Mayor Moran opened the floor for Board Members' comments.

Director Eckbreth explained that at the last meeting when this was presented to the Board, there was a discussion about funding for MARC, Inc's roof replacement. It was suggested that some of the money be diverted from Rebuilding Together. After looking into the roof cost and being given MARC's funding options, she would like to request an amendment that the MARC roof funding option be added to the CDBG program in the amount of \$9,423 and an adjusted amount of \$90,577 for Rebuilding Together.

9. CONSENT CALENDAR. (Items 8C and 8G were removed)

8A.Appropriations to Special Projects as follows:

1. Older Americans Act Funds (Transportation) \$5,000
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 10/01/16-09/30/17.
2. Older Americans Act Funds (Benefits Counseling) \$3,000
to be financed by a grant from North Central Area Agency on Aging to provide benefits counseling to senior residents for the grant period 10/01/16-09/30/17.
3. Human Services – Health Department..... \$580
to be financed by registration payments from a CPR training class toward maintenance of existing AEDs.
4. Federal Asset Forfeiture Account \$28,750
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
5. State Asset Forfeiture Account \$1,130
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
6. Recreation Department Special Activities Fund..... \$2,450
to be financed by a donation from the Mayor's Program for Manchester Children (\$700) and a grant from the SBM Charitable Foundation (1,750) to support the annual Children's Fishing Derby and the Senior Citizen's Fishing Derby which are gratefully acknowledged and accepted.
7. Office of Neighborhoods and Families..... \$600
for the Spruce Street Community Garden to be financed by donations from the Clarence Jeffers Trust in memory of John T. Jeffers (\$300) and LifeSong New England (\$300) which are gratefully acknowledged and accepted.
8. Hockanum River Linear Park Special Grant Account..... \$605
to be funded by donations in memory of Doug Smith (\$565) and a donation in memory of Harold Scheid (\$40) which are gratefully acknowledged and accepted.
9. Family History Day..... \$1,050

- to be financed by donations which are gratefully acknowledged and accepted.
- 10. Information Systems Reserve \$50,800
to be financed by Information Systems unallocated reserves, for completion
of the implementation of a IP telephony system for Town government offices.
- B. Appropriations to Education Special Projects as follows:
 - 1. Washington Elementary School..... \$713
to be financed by a donation from Reading Railroad Company LLC to enhance
reading programs.
 - D. Appropriation to FY 2017-2018 Police Special Services Fund..... \$1,100,000
to be financed by fees received from outside contractors using officers for
private duty.
 - E. Appropriation to Public Works Reimbursed Overtime Fund (FY 17-18)..... \$25,000
to be financed by fees received from outside contractors and private
developers for inspections and maintenance services performed by Public
 - F. Amending of Action No. 076-17 from the March 7, 2017 meeting to correct actual cash
position at the time of approval.
- 12A. Appropriation to Special Projects (under \$500) as follows:
 - 1. Manchester, CT HOPE Initiative \$200
to be financed by a donation from CT NAPNAP (National
Association of Pediatric Nurse Practitioners) which is gratefully
acknowledged and accepted.
 - 2. Police Donations Revenue Account - Manchester Police Explorer Post..... \$175
to be funded by dues (\$75) and a donation (\$100) from Marilyn Gayson
which is gratefully acknowledged and accepted.
- B. Acceptance of resignation of A. R. Meek (R) from the Building Committee with a
term expiring November 2017.
- C. Acceptance of resignation of Mary-Jane Pazda (R) from the Library Advisory Board
with a term expiring November 2017.
- D. Approval of job description for Program Manager.

Galligan/Hackett

Nine Voted in Favor

10. ACTION ON ITEMS OF PUBLIC HEARING.

8C. Approval of revisions to water and sewer rates, charges and fees.

Director Nye stated we told the taxpayers we would hold the line on taxes and she feels we need to apply this to the water and sewer rates as well. We have increased the water rates year after year which is revenue for the town that we can't count on because all the taxpayers have to do to negate revenue is to use less water. For these reasons, she will be voting no on the rate increases.

General Manager Shanley indicated the rate increases were part of the approved budget.

Director Devanney asked what would be affected if we did not raise the rates.

Mr. Kearney indicated he had not looked at that specifically but stated we would be down in percentage and our expenditures are projected based upon our revenues. This usually means a cut in our capital water and sewer projects, including repairs to our water and sewer systems.

General Manager Shanley stated the goal is to have people conserve water because we have a limited amount and have had droughts in the last several years. In the budget this year, there is a line item in the capital plan to develop a plan for more water resources for our community. This is the same problem every utility has where you sell less but your core cost of treatment, distribution of water and main replacement doesn't change. One of the major drivers in this year's budget was that in previous years we budgeted \$600K for capital investments and there was frustration on the part of the Board that we were getting behind in the required replacement of the water pipes because we didn't have enough money for this. The Board asked us to double the amount of bonding.

Director Eckbreth indicated that during the budget process, we approved the water and sewer enterprise fund. This is an approval of the revision of the water and sewer rates and fees. If this were not to be approved, while the budget would still be approved, the funding would have to come out of a reserve account. She gets a lot of complaints from residents about the rates, and we have had many meetings and committees that have reviewed the rate structure, but we have to run a utility that is viable. She would like to continue to look at these issues going forward.

Eckbreth/Jones

**Eight Voted in Favor
Director Nye Voted Against**

- 8G. Appropriation of deferred payments received from Bennett Housing refinancing
 - 1. Town office building security \$140,000
 - 2. Capital reserve unappropriated \$300,000

Hackett/Kissmann

Nine Voted in Favor

8G.2. **AMENDED** –Capital reserve unappropriated amount from \$300,000 to \$290,000.

Hackett/Nye

Nine Voted in Favor

TABLED - 8H. Approval of an ordinance regulating the trimming or removal of trees on private property by public utility companies. A copy of the ordinance may be seen in the Town Clerk's Office during normal business hours.

Eckbreth/Kissmann

Nine Voted in Favor

8I. Approval of Community Development Block Grant Proposed Annual Action Plan for Year 27 (October 1, 2017 – September 30, 2018).

Jones/Eckbreth

Nine Voted in Favor

8I. **AMENDED**- Approval of Community Development Block Grant Proposed Annual Action Plan for Year 27 (October 1, 2017 – September 30, 2018).

- MARC, Inc. roof fund\$9,423
- Rebuilding Together\$90,577

Eckbreth/Gates

Nine Voted in Favor

11. UNFINISHED BUSINESS

12. NEW BUSINESS.

TABLED - 12E. Appointment of a member to the Building Committee with a term expiring November 2017 to fill the vacancy left by A. R. Meek (R).

Eckbreth/Nye

Nine Voted in Favor

F. **APPOINTED** - Appointment of a member to the Library Advisory Board with a term expiring November 2017 to fill the vacancy left by Mary-Jane Pazda (R) – **Joyce Hood (R), 83 Sass Drive.**

Eckbreth/Galligan

Nine Voted in Favor

G. Discussion: Band Shell Lease with the State.

General Manager Shanley stated the 40-year lease on the Band Shell will expire this month. The Band Shell was built through fundraising by the Bicentennial Band Shell Committee. The State is interested in renewing the lease but in the new lease the Town is responsible for maintenance of the Band Shell, rather than the State. The State also has a provision in the lease that allows them to withdraw the lease with one year's notice. When we last discussed the Band Shell, we talked about what it would take to bring it up to speed. We have had estimates done to include the sound system and lighting, with current estimates between \$50-\$60K. The question for the Board is whether or not we want to continue the lease with the State.

Mayor Moran asked if there was maintenance done recently, and who that was done by.

General Manager Shanley indicated there was some painting done, which we believe was done by someone associated with MCC prior to their graduation.

Director Gates asked what work had been done on the Band Shell over the years and what is likely to come up within the next ten years in terms of major repairs. The new lease indicates the State would continue to maintain the grounds; he wondered if the access road is included in that.

Mr. Kearney indicated the \$50-\$60K estimate includes painting, concrete work, door replacements and upgrades to the electrical system and lighting. He stated he is unaware what the State will maintain under the lease. The Town has maintained the area where the fireworks are launched from.

General Manager Shanley noted that the State owns the land and the Town owns the building. He clarified that we do not currently have the \$50-\$60K needed for repairs.

Director Eckbreth commented that if we don't take the Band Shell on, the State is clearly not going to. If fiscal times were different in the State of Connecticut, we might be able to

push back a little on this lease. The value of the Band Shell to our community far exceeds the \$50K to fix it up. At this time, it is something we should take on.

Mayor Moran asked if anyone had talked to MCC about contributing to the repair/maintenance costs since they use the Band Shell for their commencement.

General Manager Shanley stated the lease is managed through the State Department of Administrative Services. The State has maintained the Band Shell but at times it has been difficult to get them to do some of the needed maintenance.

Director Nye asked Attorney Barry if taking over maintenance and repairs would switch liability over to the Town.

Attorney Barry indicated we need to ensure that we communicate the change to our insurer so they can underwrite it properly.

Vice Chair Hackett stated that we were recently approached to consider a capital improvement plan for Cheney Hall, another valued cultural center in town. We now have the Band Shell of which there is State involvement in its ownership. She feels the Band Shell should be given equal consideration to Cheney Hall. She would like more information on who utilizes the Band Shell and see how we could fund the maintenance costs. She asked who the utilities are paid through.

Mr. Kearney believes the State has been paying for the utilities and maintenance.

Director Gates asked about the State's ability to end the lease with one year's notice and asked if we had that same ability. He asked if the State owned the land because it belongs to the community college property. He wants to ensure the Town's rights are also addressed with the lease and that if the State decides to end the lease that we would have an option to retain the land as open space.

General Manager Shanley stated the lease is just for the Band Shell, not the land. He doesn't believe the State and the Attorney General's Office would allow an option for the Town to purchase that property.

Director Eckbreth pointed out that the memo provided by Staff Attorney O'Neil clearly states that once constructed the building was considered to be a Town building and is included in the properties presently insured by the Town in its liability policy. She asked if we could negotiate the lease with the State to include a portion of maintenance, and asked if we have any ability to charge for on-site events, to put money toward maintenance.

General Manager Shanley recommends accepting the lease from the State and then enter into a separate discussion with MCC or MCC Foundation about contributing to the maintenance costs. We may have an ability to charge for use of the facility. Those are options we can look into.

Mayor Moran indicated we need a better picture of the financial side of this. He indicated the number of people who attend the Band Shell concerts in the summer is down because Manchester has other music venues.

Secretary Kissmann is in favor of continuing the lease of the Band Shell with the State, as it is an asset to Manchester. He believes the electrical is run through MCC so they may be paying for the power. The Band Shell was run by people from outside of Manchester. The State owns the property so the State Fire Marshal is present at the fireworks. We should look into who uses the Band Shell and how often.

Vice Chair Hackett asked for clarification on what the impacts of the Band Shell were to the recently passed budget, other than the \$1 fee and insurance costs. Moving forward, it would be helpful to get line item detail on costs for the Band Shell, and who the other stakeholders are. She asked how we arrived at the \$50-60K range for repairs.

General Manager Shanley indicated there were no other impacts on the budget. He believes that Public Works has done some minor work but we do not have ongoing or budgeted costs for the Band Shell. EQIZ, whom the capital region council on government has a contract with, was asked to estimate repair costs which they estimated at \$50-60K.

Director Galligan loves the Band Shell and fireworks but would also like clarification on the lease term and cost. The State has proposed a 10 year lease with the option of three additional 10-year terms. He asked if the three additional 10-year terms would be at the same lease rate, as it is not clear on the lease. He wondered if the State could determine a new lease rate each year. He also noted the provision the State has to terminate the lease with one year's notice and asked if we could negotiate their proposed lease.

Director Eckbreth noted that Attorney O'Neil's memo indicates the State has offered a new lease for a 10-year term with three 10-year options for the "same nominal rent" of \$1/year. The State has the option not to renew every 10 years, but asked if the Town has that same option. She is concerned that the State could end the lease within one year of the Town spending \$50-60K for improvements to the Band Shell. She wondered if we could be guaranteed the State would not end the lease within 10 years of this.

Attorney Barry noted the State could increase the base lease rate every year over the next 10 years. Usually the increases are tied to the consumer price index. He will check on the wording of the lease fees for the proposed terms to ensure it is \$1/year for all terms.

Mayor Moran asked if we could get a percentage of our investment back if they terminate within a year of work being done. There is no doubt that this is a great part of our community but he doesn't want to see the Town be out a large amount of money within a year of investing it. We need something to protect our investment.

General Manager Shanley indicated he would check with Attorney O'Neil to see if there is any flexibility in the State's proposed lease agreement.

Director Galligan would like to see a provision put in place stating that if the State decides to terminate the lease that we get back a portion of what we invested in the property from the prior year.

Mayor Moran stated the Board seems in favor of the Band Shell but would like better protection for whatever investment we make to the property.

H. Discussion: Parkade interim uses/pavement conditions.

Mayor Moran has gone to the motorcycle event at this site for the past two years, and is concerned about the cracks and potholes in the pavement possibly causing an accident or fall. If we keep using this site, we need to improve the condition of the pavement.

Director Nye stated the Town has close to 14 acres of property there, tied up in legal issues, which we need to let play out. In the interim, she would like to see the site used and suggested a once or twice a month Saturday flea market. For a nominal fee, we could have antique, artisan and food vendors rent out the spaces to get some revenue back from the land that is not currently on the tax roll. A flea market could bring people in from all over and boost our local businesses. There is no local competition for this. Safety and liability issues need to be a priority. Other groups have asked to use the property and have been turned down because of safety issues. She proposed going to Public Works to find out the cost of either filling in potholes or covering the area with grass. In the current grassy areas, there are chunks of concrete from the building that was taken down. It's a huge eyesore and has become a holding area for construction materials. She suggested forming a committee to look into utilization of this property.

Mayor Moran indicated there was an RDA subcommittee formed to look into uses for this site, and suggested reconvening with them.

Director Gates commented that there have been discussions with the RDA for a number of years but that nothing has yet come of it. We need to return some use of this property to the community. We would need to get an assessment of the cost to make it rentable/usable, and determine the maintenance costs. It would be money well-spent and would show the community that while we are in the middle of a long process here, we recognize that we can deliver value to the community in the interim.

General Manager Shanley stated Public Works is looking into what our options would be to restore the property to a degree that we can use it in the interim, but we need to first determine how big a portion of the property we would use. It is a convenient location for staging equipment for the Henderson Street sewer project and saves a lot of money by being so close. There are very few other options for the Cheney Bennet soil, as it had to be moved off-site and needs to be stored until it can be put back. He stated if the Board does not want the area used as staging for Town projects, then it will not be.

Mr. Kearney indicated the cost he has is to replace the existing asphalt the way it is, which is a very high number. He is looking into the option of a grass field but doesn't have the estimate for this yet, as it depends upon how much of it would be used.

Director Eckbreth commented the Board should look into alternatives for use of this property. She asked Mr. Kearney what the estimate was for repaving the entire area.

Mr. Kearney stated the estimate for repaving the site is \$750K.

Director Eckbreth also commented the estimate 4-5 years ago to remove the asphalt and put grass in for soccer fields in a portion of the site was \$800K. Discussion at that time was that the cost was prohibitive and there was also a concern that we would reduce the opportunity of it being developed into more than a park. Flea markets are cyclical so we could end it at any point if a development project were to begin. The lot could be split into parking and usable space. She asked what the cost would be to repair the site enough so

that it's not hazardous. There is still bond referendum funding available through the RDA that was proposed for the site. It is time to address what is going on at that site. The key objective should be to bring people to that area.

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

Director Galligan stated it was a pleasure and honor to participate in the Memorial Day ceremony. It is equally important to remember that D-Day occurred 73-years ago today on the beaches of Normandy. We wouldn't be sitting around this horseshoe participating in this form of government without the sacrifice that those soldiers made, especially those who never came home.

Mayor Moran thanked Director Galligan for that reminder. He noted the Memorial Day Committee does a great job. He did ask what the committee's official communication process is for that day. We can't control the weather, but we can control the communication around the event.

Director Gates attended the Connecticut State Open Track and Field Championships in New Britain. Two MHS athletes won individual state championships, Jevin Frett won the 400 meter and Elizabeth Lodge won the high jump for the second consecutive year. The boys' and the girls' teams both came in 4th in their respective divisions, a great performance. He congratulated them for their accomplishments.

Mayor Moran noted that Manchester hosted the LL Track and Field Championships and many people outside of Manchester commented on the beautiful facility, which is something to be proud of.

Director Gates stated we have one of the best facilities in the State and we should be proud that we made the investment. Track and field programs welcome all students, some who are trying to find something to do after school and it is great to see them achieve at a high level. He commented that we should try to do the same with the indoor program.

Mayor Moran added that track and field is the highest participated sport in most high schools and colleges. Opening our new track gave the students great pride.

14. ADJOURNMENT.

The meeting was adjourned until the July 11, 2017 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

Nye/Gates

Nine Voted in Favor

Adjournment: 9:40 p.m.

APPROVED:

ATTEST

Secretary, Manchester Board of Directors