

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**APRIL 6, 2021 – 7:00 P.M.**  
**LINCOLN CENTER HEARING ROOM**  
**ONE MEETING AGENDA**

**PRESENT:** Mayor Moran, Directors Conyers, Dougan and Marois and Deputy General Manager Stephanou.

**REMOTE:** Deputy Mayor Jones, Secretary Castillo (until 9:00 pm), Directors Bergin, Floyd-Cranford and Schain, General Manager Shanley and Assistant Town Attorney Sullivan.

**EXECUTIVE SESSION** - The Board went into Executive Session at 6:30 p.m. to discuss Labor Negotiations. Present were Mayor Moran, Directors Dougan, Conyers and Marois, and Deputy General Manager Stephanou. Present remotely were Vice Chair Jones, Secretary Castillo, Directors Bergin, Floyd-Cranford and Schain, General Manager Shanley and Director of Finance Kim Lord. The Executive Session adjourned at 7:10 p.m. No votes were taken.

**1. MEETING CALLED TO ORDER.**

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

**APPROVED** - Motion to appoint Director Bergin as Acting Secretary for tonight's meeting.

**Schain/Conyers**

**9 Voted in Favor**

**2. AWARDS AND PRESENTATIONS. None.**

**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)**

**Elizabeth Kline**, 60 Valley Street, stated the allocation of funds in the recommended budget clearly shows that Manchester will be relying heavily on policing for safety. This is not only ineffective but is a strategy that disproportionately puts Black, indigenous, Latino and transgender residents in jeopardy. This budget increases the police budget by almost 5%, which does not make her feel safer. She feels safer when she knows people around her do not have to resort to desperate efforts in order to meet basic needs. A larger percentage of the Town's financial resources should be dedicated to making sure everyone has access to food and shelter. Though happy the Town provided a warming center briefly this winter, the need for openly accessible shelter doesn't end when the weather gets a little warmer. The shelter needs to be left in place for anyone in Manchester who needs somewhere to go overnight every night year-round. Funding also needs to be increased to make health services available for everyone in Manchester, regardless of immigration status or health insurance. The needs will not end when the pandemic fades. Mental health services should be expanded, giving access to everyone without requiring contact through the Police Department. She would also like to see funding go toward improvements and clean-up efforts for and near Center Springs Park, and Manchester's green spaces. The Town needs to promote community wellness through paid positions.

**Linda Harris**, 60 Brookfield Street, was shocked to see a \$23M budget for the Police Department and the \$9.8M combined budget for Human Services and Leisure Services, which are more important to the safety and welfare of Manchester residents. It is important that we invest more into community services not the police. Police officers are not equipped to deal with all situations. Some of the proposed police budget should be redirected to hire crisis workers who can work with police to respond to mental health issues and homelessness in the community. Police presence often times exasperates the situation and people do not feel safer. She also recommended that we invest more funding into affordable housing. COVID has shown us the disparities in accessing services at lower income levels. We have a crisis in Manchester around affordable housing. Human Services should be given additional funding to help support people coming out of the pandemic who are going to be faced with some large bills. This needs to include those who don't have documentation. Funding should also be used for before and after-school care, paid youth employment and mentorship and sponsoring the Historically Black College and University Tour. Manchester has the opportunity through the budget to create an environment where everyone feels safe and included, where everyone is healthy and can thrive.

**Colin McNamara**, 47 Grandview Street, talked about Governor Lamont's proposed COVID vaccine passport in order to travel and attend events. Over the past year, we have witnessed a consolidation of power and large corporations have been allowed to operate with impunity as small businesses continue to pay the collective price. This is an open attempt to discriminate and segregate people based on medical decisions. What happened to celebrating diversity and inclusivity? The Board of Directors has put the issue of discrimination and prejudice in the forefront of Town business over the past year and needs to consider the long term effects of the policy. In regard to the flag policy on tonight's agenda, the 3 flag poles at the corner of Center and Main Streets should be used for State, Town and Federal flags. Flags on Town property should not be flown with a thin blue line or rainbows. He noted the Town's Facebook page is promoting washing hands, getting vaccinated and social distancing, but there is no promotion for getting outside, exercising or eating healthy. The Town is pushing a vaccine which is still under emergency authorization use. Everyone who has gotten the vaccine is part of a clinical trial, as we still don't know the long-term side effects of the vaccine. Pharmaceutical companies indicate everyone will need a yearly booster.

**Daniel Healy**, 60 Valley Street, is a public educator. Manchester is the kind of community he wants to live in but he does not feel comfortable with the proposed budget. Increased policing does not make people feel safe. People feel safer when connected to each other, not through punishment. He talked about the death of Jose Soto, and agrees that some of that money should be reallocated to mental health services and crises response. Some of the police funding should also be reallocated to education, jobs, mentorship and community healthcare.

**Thomas Nagle**, 152 Briarwood Drive, congratulated Mr. Shanley on his upcoming retirement. He has been an excellent steward for the Town of Manchester and its residents. He was impressed with the statement issued last month by the Board of Directors in support of the AAPI community. He supports proper funding for our Police Department, and does feel safer because of it. He talked about the recent murders of the Boulder, Colorado police and U.S. Capitol police officers. He asked the Board of Directors to issue a statement against violence toward men and women in law enforcement. There were 359 line-of-duty deaths in 2020. Thus far in 2021, there have been 94 line-of-duty deaths. FBI data shows that over 60,000 police officers are assaulted annually. What our elected leaders say matters. A statement denouncing violence against our law enforcement is very important. The State of Connecticut receives only 70% of every dollar that residents pay in Federal taxes. The State receives little money back from the Federal government for public education grants, Medicaid and other needs of our citizens. It is time for Manchester which provides so many vital services to our citizens to unite together to be a vocal proponent to our local, State and Federal elected leaders to stop the present practice of using

Connecticut as a donor state for other states and instead have the taxpayers' money returned to our state and local municipalities to help provide for the needed local services and to reduce the property tax burden on our residents.

**Mayor Moran** explained the budget will not be adopted next week. By Charter, we have until May 17<sup>th</sup> to pass the budget and expect to adopt a budget around May 13<sup>th</sup>. We are waiting to see how much we receive from the Recovery Act and how it plays into the budget before a budget is passed.

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

- A. Actions, March 2, 2021 - Regular Meeting
- B. Minutes, March 2, 2021 - Regular Meeting
- C. Minutes, March 9, 2021 - Budget Presentation to the Board of Directors
- D. Minutes, March 10, 2021 - Budget Workshop #1
- E. Minutes, March 11, 2021 - Budget Workshop #2
- F. Minutes, March 17, 2021 - Budget Workshop #3
- G. Minutes, March 17, 2021 - Public Hearing on the Budget
- H. Minutes, March 18, 2021 - Budget Workshop #4
- I. Minutes, March 23, 2021 - Budget Workshop #5
- J. Minutes, March 25, 2021 - Budget Workshop #6

**Bergin/Castillo**

**9 Voted in Favor**

**5. COMMUNICATIONS.**

**Vice Chair Jones** thanked all the residents who reached out to the Board of Directors to share their thoughts on the budget. She encouraged residents to continue to share their thoughts and priorities about the proposed budget.

**Director Dougan** stated there was a resident who contacted the Board of Directors about the health consequences of open fire pits in Manchester. She would like to know what Town regulations are in regard to this.

**6. REPORTS.**

- A. Manager's Report
  - 1. Parks and Facilities Master Plan Update (Berry Dunn)

**General Manager Shanley** explained that some time ago the Board of Directors appropriated funds to conduct a Master Plan on Parks and Facilities. Barbara Heller, Engagement Manager, and Elsa Fisher from Berry Dunn are here this evening to provide an update on this project.

**Mr. Shiel**, Senior Planner, explained we are about 2/3 of the way through the Master Plan process. The primary focus of this plan was public engagement which was especially challenging during the pandemic. A survey was sent out and they appreciate the feedback given by the community.

**Ms. Heller** stated Berry Dunn worked with TO Design and FHI Studio on this project. The first phase of the project was discovery which focused on learning about Manchester. They started the discovery phase in the middle of the pandemic in September. The second phase of the project was engagement which was a significant part of the process. They followed the guidelines of the National Recreation and Park Association, which emphasizes commitment to diversity, equity and inclusion, ensuring connecting with a diverse audience. The analysis phase included a demographic study of what Manchester looks like now and what it will look like 5-15 years from now. They conducted a facility assessment with visits to all the indoor sites and will provide a report on that. Mary from TO Design has worked on park inventory and assessment of all parks which helped to translate into an important element called level of service. Level of service provides guidelines to help identify the appropriate number of amenities for the Town. Manchester is in good shape in this regard. Francisco from FHI looked at connectivity and trails throughout Manchester. They also did a recreation assessment and looked at industry trends. They will do a visioning session with staff in May to get a sense of overall themes and what areas the Town wants to focus on. Then comes the implementation phase where they work with Town staff to make a plan that is meaningful to the community.

**Ms. Fisher** stated from the beginning of this project they understood how important public engagement is to Manchester and of getting as many voices involved as possible. Public engagement began in mid-September and concluded in early February. The Berry Dunn team met with 6 staff groups from 5 Town departments, 12 community groups, 4 groups of high school students, 400 people at trick or treat for parks event, a virtual town hall with 42 participants and had 484 surveys completed (405 mailed and 70 on-line). A total of 1,500 people participated in some form of engagement in this process.

The top themes that came out of community engagement included the appreciation for recent upgrades to Charter Oak Park and the Town's history of providing well-organized, well-run, and affordable recreation programs. There is concern about finances following the pandemic. Diversity, equity and inclusion is very important to residents, aging facilities are not meeting current recreation needs and safety/security is a concern in some parks. Upgrades to existing outdoor pools and adding new spraygrounds are important, park maintenance is a priority for investment and completing the trail and park connections for hiking and biking is desired.

Survey results identified the needs of the community and then determine how well those needs are being met according to survey respondents. The top facility priorities include walking and biking trails, natural parks and preserves, public restrooms, indoor walking/running track and indoor swimming pool. Top programming priorities include fitness and wellness, outdoor/adventure recreation, nature enjoyment, senior adult activities and boating/kayaking/canoeing. The project includes redesign of park sites and the selection process includes information from public input, staff expertise and location. The six sites selected for upgrades include Globe Hollow, Mt. Nebo, Nike Site, Northwest Park, Robertson/Union Pond area and West Side recreation area.

**Ms. Heller** discussed the timeline for the project. Currently they are in the process of developing a trail connectivity plan which will be reviewed by staff next week. Simultaneously, the park site plan is being developed. A staff visioning session will be held in May to discuss the project to date and recommendations going forward. The facility assessment report will be done in May and capital improvement costs will be determined. A final report will be compiled in June, for presentation in July.

**Director Dougan** asked if the parks were selected by their physical characteristics or by the programming that goes on at each park. In considering equity and inclusion, she noted that children of color are three times more likely to drown. She talked about the need for the availability of swimming lessons for children. She also spoke about programs for seniors and ensuring parks are ADA compliant.

**Ms. Heller** stated that for this project the physical assets and recreation programs offered at each location were considered, as well as industry trends. They also looked at community feedback. Inclusivity includes people of color and seniors. They have spoken with Senior Center staff and the final report will include some ideas for senior services.

**Mayor Moran** is pleased to see the Nike site selected for this project. He noted that the playground at Northwest Park was designed to accommodate children with disabilities.

**Vice Chair Jones** asked if they worked with the Repurposed Schools Committee.

**Ms. Heller** explained that they are currently working with the Repurposed Schools Committee and will ensure they each have an understanding of the other's proposed work.

B. Other Reports. **None.**

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

A. Retiree healthcare benefits.

**General Manager Shanley** stated this is a process we went through using a third party to get bids. It is compliant with our bid practices, but because we used a third party we wanted to ensure the Board of Directors was fully aware.

**Ms. Lord**, Director of Finance, explained that in the spring of 2020, the Town of Manchester contracted with One Digital Inc., a healthcare benefit consulting firm, to do an overview of the Town's retiree healthcare benefits and OPEB liability. The contract with One Digital did not require competitive bidding, as professional services are exempt from the Town's competitive bidding requirement in the Charter. This is to ensure there is full transparency about procuring their services.

**8. PUBLIC HEARINGS (formally advertised).**

A. Appropriations to Special Projects as follows:

1. Senior, Adult and Family Services – Rental Assistance Program ..... \$30,000  
to be financed by a grant from Manchester Interfaith Social Action  
Committee (MISAC).
2. Federal Asset Forfeiture Account ..... \$14,542  
for continuing narcotics investigations, equipment, and/or training to be  
financed by proceeds from reimbursement for equipment purchased for  
the CDI Division of the Manchester Police Department.
3. Historic Preservation Grant (FY21) ..... \$7,500  
to reduce the size of older land record books to be funded by a grant from the  
CT State Library.
4. New State Road Well Treatment Study ..... \$75,000  
to be funded by transfer from Water Unallocated Reserves, for assessing  
options for the treatment of organic contaminants at Town-owned wells.

**Mayor Moran opened the floor for public comment at this time. There being no public comments, Mayor Moran opened the floor for Board Members' comments.**

**Director Dougan** asked for more information on item 8A4.

**General Manager Shanley** explained that this is a study to determine the best way to treat the water at that well system so that we can design an infiltration and treatment facility. There is an opportunity to use some COVID funds that are currently allocated for Water and Sewer projects.

**Mr. Kearney**, Water and Sewer Department Administrator, stated this was in his budget for the next fiscal year. They have a project that is close to going out for proposals on wells 5, 10 and 11. They can combine them all under one project to look at how best to treat water and how best to look at new emerging organics and inorganics.

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

B. Appropriations to Education Special Projects as follows:

1. Immigrant & Youth Education Program Grant (FY 20/22)..... \$9,500  
to be funded by the Connecticut State Department of Education to enhance instructional opportunities for immigrant children and youth.
2. Connecticut Recovery Oriented Support System (CROSS) for Youth Grant ... \$5,000  
(FY 20-22) to be funded by the Substance Abuse and Mental Health Services Administration (SAMHSA) 2017 State Target Response to the Opioid Crisis Grant.
3. Increase to the General Improvements to Alliance Districts' School Buildings Grant Program (FY 20-22)..... \$848  
bringing the total amount to \$1,080,000.
4. Manchester Head Start (FY21/22) ..... \$11,241  
for Training and Technical Assistance to be financed by a federal grant for Enfield Head Start
5. Manchester Head Start (FY21/22) ..... \$949,646  
for operation of Head Start program to be financed by a federal grant for Enfield Head Start.
6. Manchester Head Start (FY21/22) ..... \$15,208  
for Training and Technical Assistance to be financed by a federal grant.
7. Manchester Head Start (FY21/22) ..... \$1,284,815  
for operation of Head Start program to be financed by a federal grant.

**Mayor Moran opened the floor for public comment at this time. There being no public comments, Mayor Moran opened the floor for Board Members' comments.**

**Director Bergin** asked about item 8B3. He understands it to be similar to the reimbursement of the school construction program, but did not see an item in the proposed budget for Alliance Districts' School Buildings Grant Program. He asked where this is reported in the budget.

**General Manager Shanley** stated the Alliance money comes in to the Board of Education, not the Town side of the budget.

**Ms. Lord** explained it is an upfront appropriation accounted for in the education Special Grants fund, the same fund that all Title 1 grants go to.

**Director Marois** asked for more information about item 8B5.

**General Manager Shanley** explained that several years ago, both Manchester and Enfield were uncomfortable with the way funds were being administered so they joined together to create a consortium. You cannot receive the funds unless you are part of consortium. The Town of Manchester is the fiduciary so we receive the funds and distribute them between Manchester and Enfield.

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

- C. Resolution to authorize, issue and sell Town of Manchester general obligation refunding bonds in an amount not to exceed \$18,000,000.

**General Manager Shanley** explained that this action takes existing debt and refinances it, paying off the old debt and financing at what we expect to be a significantly lower rate, for a savings of over \$1M over the life of the debt.

**Ms. Lord** further explained that current interest rates are very low and we are expecting the net present value to exceed 6% savings. Practices are that saving over 3% is generally worthwhile to refinance.

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

**9. CONSENT CALENDAR. (Items 8C and 12B and E were added)**

8A. Appropriations to Special Projects as follows:

- 1. Senior, Adult and Family Services – Rental Assistance Program ..... \$30,000  
to be financed by a grant from Manchester Interfaith Social Action Committee (MISAC).
- 2. Federal Asset Forfeiture Account ..... \$14,542  
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from reimbursement for equipment purchased for the CDI Division of the Manchester Police Department.
- 3. Historic Preservation Grant (FY21) ..... \$7,500  
to reduce the size of older land record books to be funded by a grant from the CT State Library.
- 4. New State Road Well Treatment Study ..... \$75,000  
to be funded by transfer from Water Unallocated Reserves, for assessing options for the treatment of organic contaminants at Town-owned wells.....

B. Appropriations to Education Special Projects as follows:

- 1. Immigrant & Youth Education Program Grant (FY 20/22)..... \$9,500  
to be funded by the Connecticut State Department of Education to enhance instructional opportunities for immigrant children and youth.
- 2. Connecticut Recovery Oriented Support System (CROSS) for Youth Grant ... \$5,000  
(FY 20-22) to be funded by the Substance Abuse and Mental Health Services Administration (SAMHSA) 2017 State Target Response to the Opioid Crisis Grant.
- 3. Increase to the General Improvements to Alliance Districts' School Buildings Grant Program (FY 20-22)..... \$848  
bringing the total amount to \$1,080,000.

- 4. Manchester Head Start (FY21/22)..... \$11,241  
for Training and Technical Assistance to be financed by a federal grant  
for Enfield Head Start
  - 5. Manchester Head Start (FY21/22)..... \$949,646  
for operation of Head Start program to be financed by a federal grant  
for Enfield Head Start.
  - 6. Manchester Head Start (FY21/22)..... \$15,208  
for Training and Technical Assistance to be financed by a federal grant.
  - 7. Manchester Head Start (FY21/22)..... \$1,284,815  
for operation of Head Start program to be financed by a federal grant.
  - C. Resolution to authorize, issue and sell Town of Manchester general obligation  
refunding bonds in an amount not to exceed \$18,000,000.
- 12A. Appropriation to Special Projects (under \$500) as follows:
- 1. Manchester Animal Control..... \$10  
to be funded by a donation from Clint Marth which is gratefully acknowledged  
and accepted.
  - 2. Memorial Tree Program..... \$319  
to be funded by donations honoring Michael Norman, Michael H. Pasqualini,  
Joseph Beerbower, Clayton Klein and William C. Kameron which are gratefully  
acknowledged and accepted.
  - B. Approval of Downtown Arts & Culture Grant Subcommittee Recommendations for  
2021 Awards.
  - E. Authorization to assess certain below market cost housing consistent with State statutes.

**Schain/Bergin** **9 Voted in Favor**

**10. ACTION ON ITEMS OF PUBLIC HEARING. None.**

**11. UNFINISHED BUSINESS.**

- A. TABLED - Appointment of an at-large member to the Repurposed Schools Committee to fill  
the vacancy left by Karl Reichelt.

**APPROVED** - Motion to remove item 11A from the table.

**Dougan/Conyers** **9 Voted in Favor**

**APPROVED** - Appointment of Allenston Sheridan Jr. (U) as an at-large member to the  
Repurposed Schools Committee to fill the vacancy left by Karl Reichelt.

**Dougan/Marois** **9 Voted in Favor**

- B. TABLED - Appointment of an at-large member to the Repurposed Schools Committee to fill  
the vacancy left by Bob Rosenberg.

**APPROVED** - Motion to remove item 11C from the table.

**Dougan/Conyers** **9 Voted in Favor**

**APPROVED** - Appointment of Stephanie Vacek (R) as an at-large member to the Repurposed Schools Committee to fill the vacancy left by Bob Rosenberg.

**Dougan/Conyers**

**8 Voted in Favor**  
**Director Marois abstained**

D. TABLED - Approval of a one year tax assessment agreement for Napolitano and Soverns Developers, LLC for property at 623 Main Street, also known as 2-4 Pearl Street.

**APPROVED** - Motion to remove item 11D from the table.

**Schain/Dougan**

**9 Voted in Favor**

**APPROVED** - Motion to set the assessment for 623 Main Street, also known as 2-4 Pearl Street, at \$139,000 for one year, which represents an abatement of 50 percent of property taxes due, resulting in payment of approximately \$6,300 in property taxes (dependent on mill rate set at budget adoption).

**Schain/Marois**

**7 Voted in Favor**  
**2 Voted Against**

**Vice Chair Jones** asked what the reason was for the abstention on item 11C. In Rules of Procedure 9.9, relating to conflict of interest, she believed an abstention needs to be announced.

**Attorney Sullivan** explained an abstention needs to be announced, which Director Marois did. The Director does not need to state the reason for the abstention.

## **12. NEW BUSINESS.**

**APPROVED** - C. Appointment of Lindsay M. Gengras (R) to the Housing and Fair Rent Commission with a term expiring November 2021 to fill the vacancy left by Anthony Petrone.

**Dougan/Conyers**

**9 Voted in Favor**

**TABLED** - D. Appointment of a Union Representative to the Pension Board with a term expiring November 2021 to fill the vacancy left by Sandy DeCampos.

**Bergin/Dougan**

**9 Voted in Favor**

**TABLED** - F. Rename Veterans Memorial Park to Nate Agostinelli Veterans Memorial Park.

**Dougan/Castillo**

**9 Voted in Favor**

G. Appropriation for the Repurposed Schools Committee for consulting services

**Deputy General Manager Stephanou** explained that this is a request for the Board of Directors to approve funding, previously appropriated by the voters through the SMARTR2 referendum, to procure consulting services to gather input and feedback from the community for repurposing the closed schools. Funds would also help to develop and implement master planning. Town staff met with the Repurposed

Schools Committee's (RSC) leadership team and determined that (up to) \$250K is a reasonable amount considering the scope of the work RSC is tasked with.

**Director Dougan** appreciates RSC's objective to obtain consulting services focused on reaching historically marginalized populations, but she finds the amount a little high. She asked if this appropriation is for all of the closed schools, as she has heard that RSC's focus to date is on Nathan Hale School.

**Deputy General Manager Stephanou** stated this appropriation is for all 4 closed schools, though RSC's first priority is for Nathan Hale and Washington Schools. Approval of this funding by the Board of Directors would give the committee the flexibility to move forward and obtain professional consulting services they deem necessary to accomplish their mission.

**Director Dougan** is concerned that if the Board appropriates the money for procuring a professional firm to solicit community input and feedback, that we will lose the opportunity to obtain grant money for this purpose.

**Deputy General Manager Stephanou** stated we should still be able to seek grant funding to compliment the repurposing effort. Town staff feels it is very important to get going with this initiative. If we find that there is funding available, we will try to leverage that funding. Often times organizations that fund grants are looking to match their donation with some other source of funding, so it may help us to have some of the funding available for this initiative.

**Director Dougan** also asked if all members of the committee voted on this or if it was just a recommendation by the leadership team.

**Deputy General Manager Stephanou** stated RSC met last week and everyone that was present at the meeting approved of this request. According to the bylaws, a full vote from all members is not required.

**Director Marois** agreed that \$250K seems a little high in comparison to the \$140K spent for consultants on the Parks Master Plan. He asked what other items RSC will be spending money on, and what safeguards are in place to prevent RSC from spending all the funding on one or two schools.

**Deputy General Manager Stephanou** stated that to do a comprehensive multipronged approach to engage all segments of the community is relatively expensive. \$250K is an estimated budget but it is up to the Board of Directors to determine the amount to be used for this purpose.

**General Manager Shanley** stated all the questions seem to be centered on the scope of the work, which is something the four BOD members who sit on RSC would have significant input on within the committee.

**Mayor Moran** asked what dollar amount was approved by the voters for this work.

**General Manager Shanley** stated \$10M was approved for repurposing all buildings, including construction. As of 2016, the estimate on making Nathan Hale a code compliant building was between \$10-12M. It is important to have a master plan for all the closed schools so that decisions on where the money is spent can be made determined by what other funding is available. In comparison, over \$200K was spent on SMARTR getting conceptual plans for a number of schools so the committee could make more informed decisions.

**Mayor Moran** is comfortable with the appropriation of \$250K in comparison to what was done for SMARTR. It is important to repurpose the schools that were shut down, and this appropriation will get that process started.

**Director Bergin** asked if this appropriation obligates RSC to spend the full amount, and if the committee's use of the funds needs to comply with Town procurement laws.

**General Manager Shanley** stated this appropriation simply makes the funds available to RSC so they can move forward. RSC has to go through the Town's regular purchasing policies and procedures before using any funding.

**Director Bergin** feels the complexities of the decisions on how to repurpose these buildings requires even more robust work than the parks master plan. In comparison to the cost of consultant fees on the Parks Master Plan and to the costs of SMARTR, he is comfortable supporting this appropriation.

**Vice Chair Jones** stated community outreach is vitally important, which is why this committee was seated the way it was. In outreach to the Board of Directors, the leadership team highlighted some strategies to ensure we get as much input from residents as possible, particularly those disproportionately impacted by school closures. The processes in place will ensure that RSC will put together appropriate services to get the kind of report and planning from this process that we hope for.

**Director Floyd-Cranford** is in support of this appropriation. RSC has a very big task and they are seeking the expertise and professionalism of people beyond the committee. The Board of Directors needs to be fully supportive of that. Before the committee can come up with a full vision, they need to know the limitations of what can and cannot be done with each of the closed schools.

**Director Marois** supports the committee but he does have some concerns about the scope of what they are requesting the money for. The reason we set budgets is so that we can ensure we are spending taxpayer dollars appropriately and getting that money to extend out as far as possible. The purpose for outreach is to learn what the community wants to see in these buildings but the document the Board received from the committee talks about architecture and design. The committee doesn't know what to do with those buildings yet, so to start appropriating funds for architecture and designs is premature. He would agree to appropriate \$150K for this purpose.

**Vice Chair Jones** stated some of the work during the original SMARTR process included conceptual designs that helped people understand the possibilities for the buildings. The opportunity to understand and visualize comes from being able to work alongside an architectural firm that can recommend ideas within the constraints of the building. That is a key piece of this project. During their presentation to the Board of Directors, RSC leadership explained that there are two groups within the committee working simultaneously, which helps to move the work along. She understands that Director Marois works on the committee so hopes the posture can be more "we" with the Board of Directors supporting the committee.

**Director Dougan** asked if community outreach and master planning would be done at the same time. She understands this appropriation is not one and done, and that they can come back to the Board for more funding.

**Deputy General Manager Stephanou** stated the scope of this project will absolutely require more funding. Community engagement needs to come first to better understand the needs of the community.

It is important to have some funding available to start scoping out and conceptualizing ideas that the community can consider when giving input and feedback.

**Director Schain** stated that in order for RSC to succeed, we need to make the resources they need available to them. He agrees with appropriating \$250K for use by RSC, which they would only use if they need to. There are ample safeguards in place to ensure the money is used wisely, including Town staff reviewing proposals and the four Board members on the committee. We need to ensure the committee has the money they need to accomplish a very challenging and complex task.

**Mayor Moran** read from the memo to the Board of Directors from Deputy General Manager Stephanou which indicates “These funds are to be distributed at the discretion of the Repurposed Schools Committee Leadership Team in consultation with Town staff and subject to approval of Town Finance staff.” He is comfortable with a \$250K appropriation.

**FAILED** - Motion to appropriate \$150K for the Repurposed Schools Committee for consulting services.

**Marois/Dougan**

**2 Voted in Favor  
6 Voted Opposed**

**APPROVED** - Motion to appropriate up to \$250K for the Repurposed Schools Committee for consulting services.

**Bergin/Floyd-Cranford**

**7 Voted in Favor  
Director Marois opposed**

**APPROVED** - Motion to take a brief recess at 9:27 p.m.

**Conyers/Bergin**

**8 Voted in Favor**

**Mayor Moran** reconvened the meeting at 9:32 p.m.

H. Establishment of a Charter Revision Commission.

**RESOLUTION TO ESTABLISH A CHARTER REVISION COMMISSION  
AND TO DEFINE THE CHARGE TO THE COMMISSION**

**WHEREAS**, the Town of Manchester, acting herein by its Board of Directors, desires to initiate a review and possible revision of its Charter.

**NOW, THEREFORE**, pursuant to Section 7-188 of Chapter 99, Municipal Charters and Special Acts, of the Connecticut General Statutes, be it resolved by the Board of Directors of the Town of Manchester, that the municipality of the Town of Manchester initiate action for a review and possible revision of its Charter, including amendments thereto, pursuant to Section 7-187 et seq. of the Connecticut General Statutes, by establishing a Charter Revision Commission.

**BE IT FURTHER RESOLVED**, that the Board of Directors, pursuant to Connecticut General Statutes, Section 7-190(a), shall appoint to the Charter Revision Commission not fewer than five (5) electors nor more than fifteen (15) electors to the Commission within thirty (30) days of the passage of this resolution.

**BE IT FURTHER RESOLVED**, that the Board of Directors, pursuant to Connecticut General Statutes, Section 7-190(b), directs the following charge to the Charter Revision Commission:

1. Review of substantive or administrative amendments to the Charter as identified by the Town Administration's and Town Attorney's review of the Town Charter.
2. Review of Section 2-14 of the Town Charter, Justices of the Peace, to increase the authorized number of Justices of the Peace to 30.
3. Review of Section 9-1 of the Town Charter, Election to Board of Education to consider revision of the terms of office.
4. Review of Section 14-1 of the Town Charter, Recreation and Park Commission, to consider increasing the membership of the commission from 7 members to 9 members.
5. Review of Sections 3-2 and 3-3 of the Town Charter, election of the Board of Directors, to consider revision of the terms of office and compensation.
6. Review of Sections 3-2 and 9-1 of the Town Charter, election to the Board of Directors and Board of Education, to consider the use of at-large elections.
7. Review of Sections 3-1 and 4-5 of the Town Charter, powers of the Board of Directors, to consider the investigatory powers and ability to directly question department heads and initiate reports outside of the General Manager, as well as investigate matters within that department notwithstanding the General Manager's oversight of such department.
8. Review of Section 3-1 of the Town Charter with respect to the formulation of boards and commissions and the appropriateness of establishing those bodies by resolution or ordinance instead, so as to have flexibility in amending their structure and responsibilities absent charter revision.
9. Review of Section 4-5 of the Town Charter, General Manager appointments as opposed to Board of Directors appointments, not otherwise required by state or federal law.
10. Review of Section 3-1 of the Town Charter, powers of the Board of Directors, to provide the Board of Directors with the ability to draft proposals absent the direction of the General Manager.
11. Review of Section 3-5 of the Town Charter, powers of the Board of Directors, to clarify leadership including succession in the event of the resignation of the Chairman/Mayor of the Board of Directors.
12. Review of Section 3-1 of the Town Charter, to review training opportunities and possible requirements for members of boards and commissions.
13. Review of Chapter III and Chapter IV of the Town Charter, to consider the structure of the council-manager form of government.

The review of the Town Charter by the Charter Revision Commission is not restricted to the areas identified above.

**BE IT FURTHER RESOLVED** by the Board of Directors of the Town of Manchester that the Charter Revision Commission submit its draft report to the Clerk of the Town of Manchester by no later than July 6, 2022.

**Vice Chair Jones** stated this item has been discussed a number of times over the past few months, including discussion around the process. This is an important process to undertake in terms of government. We have a responsibility to offer the community the option to provide input on the way that we govern. She would appreciate her colleagues' support on this endeavor.

**Director Conyers** asked about the reporting aspect this committee has to the Board of Directors, and what the timetable is for Charter review.

**Mayor Moran** stated the Charter Revision Commission needs to provide a draft report to the Town Clerk no later than July 6, 2022.

**Director Conyers** stated that in looking at areas for them to focus on, the commission could recommend some large structural changes to the Town's current way of governing. He realizes this will come to a vote before Manchester residents, but we need to ensure there is complete transparency in the process. He asked for additional background information on the previous Charter review.

**Mayor Moran** stated that during the last Charter review, there were over 20 recommendations including some structural changes that were voted down.

**Attorney Sullivan** explained that once the Charter Revision Commission is formed, they will elect a Chair and come up with an agenda. In addition to the items they are being asked to review, they have the right to bring forward other items. What they are doing will be part of public record, so the final report will not be a surprise.

**Director Bergin** fully supports the call for transparency and regular updates to the Board of Directors. He asked what the Board's ability is to subsequently change the charge given to the commission. On the Repurposed Schools Committee, some information was amended after the committee was formed which created some procedural problems.

**Attorney Sullivan** stated that once the Resolution is set, there are usually not any changes made but the commission can look into any part of the Charter throughout the process.

**Director Dougan** asked for clarification of item 13 of the Resolution to consider the structure of the council-manager form of government. She wonders if this will deter applicants from applying for the open General Manager's position.

**Mayor Moran** explained that the commission can look into different structures for Town government, which would need to be approved by residents and the Board of Directors before changes could be made.

**Director Dougan** asked about the suggestion to increase the number of Justices of the Peace to 30. She asked how many current Town Justices of the Peace there are.

**Vice Chair Jones** stated there are currently 15 Justices of the Peace in Manchester.

**Attorney Sullivan** stated he will check the State Statutes regarding the number of Justices of the Peace Towns can have.

**Director Dougan** asked for clarification on item 10, which states the Board of Directors would have the ability to draft proposals absent the direction of the General Manager.

**Vice Chair Jones** explained that in the past, Board of Directors' members have been advised that seeking support for proposal writing (such as resolutions) from Town Staff Attorney or Town Attorney must be routed through the Town Manager. Item 10 is a request to review that process.

**Director Dougan** asked what the process is for appointing people to this commission. She asked if the minority party will have the choice of the minority appointments to the commission. She noted that historically the majority party on the Board of Directors has had one more appointment to the commission than the minority party has.

**Attorney Sullivan** stated the Board of Directors is the appointing authority for the commission. The authority is not appointed specifically to political parties.

**Vice Chair Jones** stated that the Board of Directors, pursuant to Connecticut General Statutes, shall appoint between five (5) and fifteen (15) electors to the Commission. We first need to set the number of appointees to the Commission and then determine how the members are appointed.

**Director Conyers** asked if composition of the commission would be discussed prior to voting on the appointments. He feels making the appointments after passing the Resolution is different than the way the process is done for other Boards and Commissions.

**General Manager Shanley** explained it is a different process for a Charter Revision Commission, based on State Statute requirements and timelines. Typically there is more flexibility on appointments to Boards and Commissions.

**Attorney Sullivan** stated once the Charter Revision Commission is established, the next action is to vote on appointment of members.

**Director Conyers** asked if the appointments will be voted on and approved by a simple majority. He wants to ensure that voices from the minority party are heard during this process.

**Attorney Sullivan** responded that a simple majority vote determines appointments.

**Vice Chair Jones** appreciates the concerns raised. She would expect that a diverse range of voices and perspectives would be part of the commission, the more diverse the better. In terms of creating a group and seating the group leader, we are constricted by a timeline.

**Director Marois** shares concerns about large structural changes within this Resolution. Opening the Town Charter should not be taken lightly. His biggest concern is that the minority group will not be able to voice their concerns and opinions. It is clear there is a conservative party and a more liberal party. He is concerned that the philosophies of one side will determine the outcome without any diversity of thought. He recommends that the commission is split between both conservative and liberal parties. The commission should not be an overwhelmingly one-sided representation. He asked for clarification of #6, election to the Board of Directors and Board of Education, to consider the use of at-large elections.

**Director Bergin** stated this Resolution directs the commission to review how Town government is structured and why. He does not claim authorship of item 6, but at-large is how we currently run for office. Other alternatives would be something of an alderman system where there would be representation from each district within the Town. Many Town councils have a combination of both. The goal is to ensure representation from all neighborhoods.

**Director Marois** has concerns with how this could pan out. With the republicans being the minority right now, any idea we bring to the Board of Directors doesn't have much weight. He also has concerns with #7 to "consider the investigatory powers and ability to directly question department heads and initiate reports outside of the General Manager, as well as investigate matters within that department notwithstanding the General Manager's oversight of such department." He asked who authored that item.

**Vice Chair Jones** stated the items in this Resolution are an amalgamation of input from a variety of Board members. They were not specifically authored and none are specific requests to change. They are requests to look at certain areas, to consider the future of this community.

**Director Marois** has concerns with the Board of Directors being able to question any department head without going through the Town Manager. A Board member going directly to a department head could be seen as trying to influence their decisions. He also questions item #5 which talks about considering revisions to the terms of office and compensation for the Board of Directors. Though it takes a lot of time and energy, it is pretty much a volunteer position. His primary concern is that he feels minority representation will be lost by the way that this commission will be structured. He is concerned that having a majority party controlling the commission members will completely eliminate the minority voice and opinion from the Town. We need to ensure there are conservatives and liberals both on the Board of Directors and that there is a fair split between the two so that there is equal representation.

**Director Bergin** asked Attorney Sullivan to review the requirements for public input and public hearings throughout the Charter revision process.

**Attorney Sullivan** explained a public hearing has to be held once the commission is formed before they start their charge. There is also a mandatory public hearing for the residents to provide input about the report. The Commission will hear suggestions from the public and may decide to act on them. The Charter Revision Commission is given great authority. They can change the entire structure of government any way they want. They can make any recommendations they'd like to see. Historically, the Charter Revision Commissions do not act in a partisan manner. Once they make recommendations, the Board of Directors can accept or reject them.

**Director Bergin** asked Attorney Sullivan if there is anything prohibiting any Director or otherwise elected official from expressing their views in public hearings on items before the commission.

**Attorney Sullivan** recalled there being serving Directors that spoke before the commission. Directors can't be dual office holders, so no current Board members can serve on the commission.

**Director Bergin** noted that tonight we are trying to establish a consensus to form a commission and determine what issues we would like them to look at. We would then have 30 days to determine appointees to the commission. He feels as a member of this Board that he has a vote on all appointments that are made. The question of who gets to serve and who gets to pick who is appointed is a Board action taken by nine members. He can think of some instances where we failed to appoint

members put forth, but does not want to give anyone the impression that a decision is not empowered by all directors elected to this community.

**Mayor Moran** stated that in 2008 the majority party had the majority of the members on the Charter Revision Commission but there is nowhere in Manchester's Charter that notes conservative vs. liberal, or tea party vs. progressive. There is a rule that determines how many from the majority party and the rest is a minority. Forty percent of the residents in our community are unaffiliated. In 2021, we need to open this up to everyone.

**APPROVED** - H. Establishment of a Charter Revision Commission.

**Jones/Floyd-Cranford**

**8 Voted in Favor**

I. Adoption of a Flag Policy.

**Attorney Sullivan** explained that this item was originally brought before the Board of Directors at the September 2020 meeting. After display of the rainbow flag on a Town-owned flag pole at the corner of Main Street and Center Street, a question came up if a flag of one group was flown could the flag of an opposing view be flown. A Board subcommittee was formed to decide what flags can be flown on Town-owned property, and Attorney Sullivan was asked to provide a legal opinion. The question is how Town flag poles are categorized. A traditional public forum is a park where anyone can exercise first amendment rights and put any kind of flag they want, no matter how controversial. The second is a non-public forum which is by designation a forum used for government public communication. As government speech, there is no obligation to provide space for opposing viewpoints. The third is hybrid, which is a limited public forum, defined as a non-public forum that the government has opened up for use by the public as a place for expressive activity. The question is if we fly a flag for certain groups if we've created a limited public forum. He talked about the Walker case in the Supreme Court. This suggests that we have created a public forum since the rainbow flag was flown.

The subcommittee has created a flag policy which states the government will decide what flags are flown on their flag poles. Any member of the public or group that wants to display a flag on the Town pole will need to send an application through the Manager's office. The Manager will pass the request along to the Board of Directors and it can be put on the agenda for a vote. The subcommittee, including Director Marois and Deputy Mayor Jones, had a discussion and a question was raised about departments that display certain flags. The Board of Directors is the legislative body that will decide what goes on any Town flag poles. If a particular department wants to fly a particular flag, that department head will send a request to the Manager's office. The Manager will determine if the request needs to go to the Board of Directors for consideration. This policy best protects the Town under current law.

**Director Dougan** asked if a precedent has been set since this one flag has been flown and if it now means other flags need to be flown in the future.

**Attorney Sullivan** stated there was no real precedent set; it was a voluntary act by the Board of Directors and constitutes Government speech.

**Mayor Moran** said that when the flag was flown previously, it was a decision he made in conjunction with the Town Attorney to fly it for 24 hours. No policy was in place at that time. If we adopt the proposed policy, that would eliminate the precedent.

**Attorney Sullivan** stated that having a policy in place should prevent issues from arising in the future. The policy could be amended at any point by the Board of Directors. He attended a legal seminar on this topic sponsored by CCM in December. They recommended that the Legislative body make the decision.

**Director Marois** asked if this policy would protect the Town from lawsuits. He doesn't feel the Town needs a policy on this. He is confident leaving it covered under Federal and State laws.

**Attorney Sullivan** stated this is a tough issue and lawsuits are always possible. Law suits have been brought up under the Civil Rights Statute, Title 42 of the United States code stating no local official acting under State law shall deprive any person rights guaranteed under Federal laws, which is a very broad standard. This policy puts the Town in a better position if there were future lawsuits.

**Vice Chair Jones** asked a clarifying question around section (l) of the policy which states "no Commemorative or Organizational Flags shall be displayed from a flagpole owned or maintained by the Town without first receiving approval of the Board of Directors in accordance with this policy." She asked how that relates to (d) which talks about the discretion of the General Manager.

**Attorney Sullivan** stated the section that talks about the discretion of the General Manager relates to internal departments which request to fly a particular flag. This policy reflects requests from the outside.

**General Manager Shanley** stated his intention is that any flag that is being flown other than the American flag, State flag or Town of Manchester flag needs the approval of the Board of Directors.

**Vice Chair Jones** thanked Attorney Sullivan for all of his work on this policy.

**APPROVED** - Motion to continue the meeting past 11:00 p.m.

**Jones/Conyers**

**8 Voted in Favor**

**Mayor Moran** asked if we have an inventory of flag poles on Town property in Manchester.

**Deputy General Manager Stephanou** stated there are currently 17 flag poles, including flags at Northwest Park, Weiss Center, Fire Department, Police Station and Public Works.

**General Manager Shanley** stated the flag at the Manchester police station has become controversial in the last year, though it had been there for many years.

**Director Dougan** asked if the Town has any control over what flags the Board of Education chooses to fly.

**Vice Chair Jones** stated this policy does not control what flags are flown by the Board of Education. The subcommittee did discuss the possibility of requesting that the Board of Education follow suit in adopting a similar flag policy.

**Mayor Moran** asked if Board of Education properties are considered Town properties and would be covered by this policy.

**Attorney Sullivan** explained Board of Education buildings are Town owned properties but they are in possession of the Board of Education, similar to a tenant in an apartment. This could be a model for them to adopt if they chose, but an independent mission of the Board of Education. This information is noted in Item II. Scope (a) of the Flag Policy.

**Vice Chair Jones** asked that the following corrections be made in the proposed Flag Policy: 1) Under definitions section (b) change choses to chooses and 2) Under Policy section (a) changed afore mentioned to aforementioned. (Changes are incorporated into the policy noted below.)

### **Flag Flying Policy of the Town of Manchester**

Adopted by the Board of Directors on April 6, 2021.

#### **I. Purpose**

- (a) The Town of Manchester (hereinafter ‘Town’) adopts the following policy regarding Commemorative or Organizational Flags displayed on flagpoles situated on Town owned buildings and grounds.
- (b) In adopting this Policy, the Town’s legislative body, the Board of Directors declares that flagpoles owned or maintained by the Town are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of Commemorative or Organizational Flags authorized as an expression of the Town's official sentiments, as expressed through its legislative body, the Board of Directors, and which expression shall constitute the Town government’s speech.

#### **II. Scope**

- (a) This policy shall not apply to the schools, buildings and grounds owned by the Town but which are in the possession and control of the Board of Education of the Town of Manchester. This policy also is inapplicable to Town-owned properties leased to and under the possession and control of third parties.

#### **III. Definitions**

- (a) “Flag” is defined consistent with its dictionary definition to mean “a usually rectangular piece of fabric of distinctive design that is used as a symbol (as of a nation), as a signaling device, or as a decoration”.
- (b) “Commemorative or Organizational Flag” as defined in this Policy shall mean a flag that identifies with a specific historical event, cause, nation or group of people that the Town chooses to honor or commemorate consistent with the Town's mission and priorities.
- (c) “Individual(s)” or “Group(s)” as described in this Policy shall encompass elected officials, departments and agencies that are part of the Town government as well as individual residents and local groups not affiliated with the Town government.

#### **IV. Policy**

- (a) As expression of the Town's official government speech, the Town may authorize the display of a Commemorative or Organizational Flag at the site of three flagpoles located at Center Park at the intersection of Main Street and Center Street. The aforementioned three flagpoles currently display the flags of the United States, State of Connecticut, and the Town of Manchester. Upon approval of a request as outlined below in Section V, Commemorative or Organizational Flags shall be displayed on the third flagpole reserved for the display of the Town of Manchester Flag.
- (b) Commemorative or Organizational Flags may be displayed on any other flagpoles situated on the Town's building and grounds at the discretion of the Board of Directors. In the event that such sites host only a single flagpole, the approved flag shall be flown directly below the existing government standard.
- (c) Except as set forth in subsection (d) below, requests for the display of a Commemorative or Organizational Flag shall be made in writing to the General Manager's office. Requests should be made at least 60 days prior to the first day of the period of use. The General Manager should distribute any requests made by the public to all members of the Board of Directors. Any Board of Directors member who receives such request can choose in his or own sole discretion to request that the full Board of Directors vote to adopt a certain Commemorative or Organizational flag as the Town's government speech. At the request of a Board of Directors member, the consideration of such request will be placed on the agenda for a regular or special Board of Directors meeting for discussion and Board action.
- (d) Any requests by town employees that a Commemorative or Organizational Flag be displayed on a flagpole sited on their Department's buildings and grounds, shall be made in writing to the Department Head who shall transmit the request to the General Manager. In turn, the General Manager in his or her discretion may pass this request on to members of the Board of Directors as set forth in subsection (c).
- (e) Requests made less than 60 days of the requested display may be made granted by the Board of Directors in its discretion.
- (f) Generally, each Commemorative or Organizational Flag cannot be flown more than once a year and will be displayed for a 24-hour time period, however the Board of Directors may extend the frequency and duration of the flag display for good cause. Only one Commemorative or Organizational Flag will be allowed to be displayed on the flagpole during any time period.
- (g) Commemorative and organizational flags must be temporarily donated for the Town's use and be clean, without holes and tears, and be made of an all-weather fabric. Commemorative or Organizational Flags must be the same size or smaller than the United States and Connecticut flags that are flown, but no smaller than a height of 3 feet and a width of 5 feet. Grommets are required on each corner of the edge that will be attached to the flag rope. The grommets must be installed in a reinforced material for structural integrity and durability.
- (h) The Town will not be responsible for the condition of the Commemorative or Organizational Flag once flown and may dispose of any such flag not picked up within thirty (30) days after it has been flown. The Town will not purchase the Commemorative or Organizational Flags.
- (i) Once a request is approved in accordance with Section V below, the Town staff will be solely responsible for the raising and lowering of the Commemorative or Organizational Flag.

- (j) Flags will be flown in accordance with the U.S. Flag Code. If either the U.S. or State flag is flown at half-staff, the Commemorative or Organizational Flag will also be flown at half-staff.
- (k) The following are not allowed as Commemorative or Organizational Flags and will not be considered by the Town:
  - (1) Flags of a particular religious movement or creed to avoid the appearance of Town government endorsing religion or a particular religious movement or creed;
  - (2) Flags of a political party to avoid the appearance of Town government, endorsing a political party;
  - (3) Flags advocating a certain outcome in an election, to avoid the appearance of Town government endorsing an electoral outcome;
  - (4) Flag of a commercial organizations may be displayed to reflect such organization's contributions to the Town community and so long as the purpose of such display is not done for the purpose of reflecting the Town government's commercial endorsement of any particular business; and
  - (5) Flags that enable violence, discrimination, prejudice, or racism, to avoid the appearance of Town government endorsing such actions.
- (l) No Commemorative or Organizational Flags shall be displayed from a flagpole owned or maintained by the Town without first receiving the approval of the Board of Directors in accordance with this policy.

#### V. Procedure

- (a) Any individual or group requesting the display of a Commemorative or Organizational Flag shall make such request in writing to the General Manager's office. Requests should be made at least 60 days prior to the requested day of display.
- (b) Said requests will be referred to the Board of Directors for consideration and approval as set forth in subsection (c) of Section IV of this policy.
- (c) The Town will only display Commemorative or Organizational flags that it approves as its own government speech and reserves the right in the exercise of its sole discretion to reject any such request to display a flag made by an individual or group.

**APPROVED** - I. Adoption of a Flag Policy.

**Jones/Schain**

**7 Voted in Favor**  
**Director Marois opposed**

**Mayor Moran** asked that the first time a flag request is brought to the Board of Directors that there be ample time to review the information prior to being asked to vote on it in a meeting.

J. Revision to the existing Policies and Procedures Regarding the Use of the Main Street Banner, Community Calendar and Manchester Matters.

**Attorney Sullivan** stated that in 2009, the Board of Directors adopted a policy regarding Use of the Main Street Banner, Community Calendar and Manchester Matters. This allows groups or organizations to bring their requests to the General Manager's office for processing. This process seems to be working well.

He recommends this revision: In adopting this Policy, the Town's legislative body, the Board of Directors, declares that the banners attached to the support span over Main Street, the Community Calendar and Manchester Matters, which are owned or maintained by the Town, are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of messages authorized as an expression of the Town's official sentiments which shall constitute the Town government's speech. (Revision is incorporated into the policy noted below.)

### **Policies and Procedures Regarding the Use of the Main Street Banner, Community Calendar and Manchester Matters**

The Board of Directors of the Town of Manchester hereby adopts the following policies and procedures regarding the use of the Main Street banner, the Community Calendar and Manchester Matters.

In adopting this Policy, the Town's legislative body, the Board of Directors, declares that the banners attached to the support span over Main Street, the Community Calendar and Manchester Matters, which are owned or maintained by the Town, are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of messages authorized as an expression of the Town's official sentiments which shall constitute the Town government's speech.

#### I. General statement of purpose.

It is the policy of the Town of Manchester that the resources known as the Main Street banner, the Community Calendar and Manchester Matters may be used by non-profit Manchester organizations or non-profit state and national organizations with a Manchester chapter or office to provide or publicize events to be held in Manchester. The display or promotion of events or messages of political parties and organizations is not allowed. The display of a purely religious message is not allowed. Events sponsored by religious organizations are allowed as long as the event is open to the general public.

The display of hate messages or events sponsored by hate groups is prohibited.

The procedures for the use of each resource are set forth below.

#### A. Main Street banner.

Requests for the display of a banner on Main Street shall be made in writing to the General Manager's office. Requests should be made at least 30 days prior to the first day of the period of use.

1. Manchester Scholarship Foundation – 3 weeks in March.
2. Manchester Board of Education – 3 weeks in April.
3. Pride in Manchester Week – 3 weeks at the end of May and beginning of June.
4. Independence Day Celebration – 3 weeks at the end of June and beginning of July.
5. Cruisin' on Main Street – 3 weeks starting three weeks before the event which is held in early August.

6. Thanksgiving Day Road Race – 3 weeks in November

The banner to be displayed may be displayed for a maximum of 21 days and must be displayed for a minimum of 14 days. Only one banner may be displayed at a time and only one banner per organization

The use by these 6 organizations on an annual basis accounts for 18 weeks of each calendar year. The remaining 34 weeks shall be available on a first come, first served basis. In the event there are multiple requests for the same period of time, the use shall be determined by a lottery.

Any banner displayed on Main Street must meet the following specifications:

- a. Maximum banner size: 45 inches high x 360 inches long. (Recommend this size be used.)
- b. Banner must include wind flaps and grommets. Grommets are to run the entire length of the banner, top and bottom, at no less than two (2) foot increments with one (1) grommet in each corner. The grommets must be installed in a reinforced material for structural integrity and durability.
- c. Banner copy should appear on both sides. If the banner is only one- sided, directions should be given as to whether the printed side should be north facing or south facing.

There shall be a \$250.00 fee payable to the Town of Manchester for the installation and removal of a banner. The fee shall not apply to the Manchester Board of Education and the Thanksgiving Day Road Race for the events set forth in Section A.2. and Section A.6.

If a banner is damaged by natural forces or other means and requires the Town to remove it prior to the scheduled date, any reinstallation of a new banner will require the payment of a separate installation and removal fee.

If the banner is not constructed to these minimum standards, the Town reserves the right not to install the banner.

B. Community Calendar.

The Community Calendar may be utilized to publicize events being held in Manchester for any non-profit Manchester based organization or state or national non-profit organizations having a Manchester chapter or office. The use of the Community Calendar is to inform Manchester residents of events being held in Manchester and is not to be used for the posting of messages or slogans.

Requests for the use of the Community Calendar are made to the Customer Service Department. Requests are honored on a first come, first served basis in the event of limited space available.

C. Manchester Matters.

Manchester Matters is an electronic newsletter produced by the Town of Manchester informing residents of significant local events. Since there is limited space in the newsletter, it is restricted to Manchester organizations and events on a first come, first served basis, with priority given to municipal governmental events. Manchester Matters shall be produced not more than 3 times

per week and shall not contain any more than 12 items at a time. If an organization's event is not included in an issue of Manchester Matters due to lack of space, that event shall have priority in the next issue of Manchester Matters.

**APPROVED** - J. Revision to the existing Policies and Procedures Regarding the Use of the Main Street Banner, Community Calendar and Manchester Matters.

**Bergin/Jones**

**8 Voted in Favor**

**TABLED** - K. Equity resolution on hiring.

**Bergin/Jones**

**8 Voted in Favor**

L. Rules and procedures for remote and virtual meetings.

The intent of the following is to account for the facilitation of Board meetings when in a fully remote or a hybrid format, and to preserve the functionality of the in-person experience as members of the board.

In accordance with Board Rule 15 Amendments to Rules, the following are submitted for consideration:

Rule 3: Meetings (additions)

- 3.4 All rules of procedures shall apply unless otherwise specified in this section.
- 3.5 All meetings of the Board may be held in a fully remote or hybrid format utilizing a communication platform of the Town's choosing that supports video, audio, and simultaneous communication.
- 3.6 Remote Participation at a Board Meeting. One or more directors may participate in a meeting of the Board of Directors by use of a conferencing platform, as noted in 3.5, and such participation in a meeting shall constitute presence in person at the meeting.
- 3.7 Manner of Acting When Accessing Remote Participation.
  - a. Attendance shall be called of all Directors as part of the *Meeting Called to Order* agenda item 1 or 7.
  - b. Directors participating via remote participation, pursuant to Rule 3.5, arriving late to the meeting, departing early from the meeting, or needing to step away from the meeting while in progress shall announce their arrival and departure for the record to the Chairperson.
  - c. Directors participating via remote participation, pursuant to Rule 3.5, will remain on camera for the duration of the meeting.
  - d. Directors participating via remote participation shall adhere to the code of conduct as outlined in the Rules of Procedures.

**Vice Chair Jones** stated the intent of this was to provide some rules and procedures specific to conducting Board meetings virtually. This topic has been discussed twice previously and tabled as all Board members were not present. All Board members have now had the opportunity to review these revisions.

**Director Conyers** asked for clarification on Item 3.7 b. which states if someone needs to step away from the meeting that they announce their arrival and departure. He asked if they are attending via zoom if the chat function is satisfactory and if chats are recorded.

**Vice Chair Jones** stated the intent of adding this item was that if all Board members are physically present, it is easy to see if someone comes into or leaves the meeting, but it is not easy to see in a virtual meeting. Attorney Barry weighed in on this.

**Director Floyd-Cranford** stated this was meant only if someone leaves the meeting or enters the meeting late, not to announce every time a Board member steps away from the meeting for a couple of minutes.

**APPROVED** - L. Rules and procedures for remote and virtual meetings.

**Jones/Schain**

**8 Voted in Favor**

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

**Mayor Moran** stated the anticipated date for the Budget Adoption is May 13<sup>th</sup>, as the U.S. Treasury is expected to give out guidelines for COVID relief funding on May 11<sup>th</sup>. We have until May 17<sup>th</sup> to pass the budget.

**Director Conyers** would like some clarification around any rules and procedures on electronic voting for Boards and Commissions. He stated there was an issue this week for one commission when there weren't enough members present in the meeting. He also talked about many of the Board meetings going past 11:00 p.m. resulting in some viewers not being able to view the whole meeting. He would like to have an internal discussion regarding possibly going to a two meeting format when there is a particularly long agenda to ensure public access to Board of Directors meetings.

**Mayor Moran** stated we do schedule two meetings per month. We will seek staff guidance.

**Director Dougan** wished Director Conyers and his fiancée a very happy wedding on April 23<sup>rd</sup>.

**Director Conyers** stated that although they have had to make several adjustments, including limiting the number of guests, they are looking forward to it.

**14. ADJOURNMENT.**

The meeting was adjourned until the May 4, 2021 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

**Adjournment: 11:35 p.m.**

**Marois/Floyd-Cranford**

**8 Voted in Favor**

**Lgl**

**APPROVED:**

**ATTEST:**

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**Secretary, Manchester Board of Directors**