

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
JUNE 1, 2021 - 7:00 P.M.
LINCOLN CENTER HEARING ROOM
ONE MEETING AGENDA

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

REMOTE: Deputy Mayor Jones, Secretary Castillo, Directors Bergin, Floyd-Cranford and Schain, and Assistant Town Attorney Sullivan.

EXECUTIVE SESSION - The Board went into Executive Session at 6:30 p.m. to discuss Pending Litigation. Present were Mayor Moran, Directors Dougan, Conyers and Marois and General Manager Shanley. Present remotely were Vice Chair Jones, Secretary Castillo, Directors Bergin, Floyd-Cranford and Schain, Director of Finance Kim Lord and Attorney Brian Prindle. The Executive Session adjourned at 6:50 p.m. No votes were taken.

1. MEETING CALLED TO ORDER.

The meeting was called to order at 7:00 p.m. All in attendance, and virtual, participated in The Pledge of Allegiance to The Flag, led by Mayor Moran.

Mayor Moran asked all present to observe a moment of silence, for Memorial Day, in honor of those who gave the ultimate sacrifice while protecting our freedom and serving our country.

2. AWARDS AND PRESENTATIONS.

A. LGBTQ Pride Month Proclamation

Mayor Moran read a Proclamation recognizing June as LGBTQ Pride Month. Manchester values all our citizens. It is imperative that everyone in our community, regardless of sexual orientation, gender identity, and expression, feel valued, safe, empowered, and supported by their peers and community leaders.

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)

There were no comments.

4. ADOPTION OF MINUTES OF PREVIOUS MEETING.

- A. Actions, May 4, 2021 – Regular Meeting
- B. Minutes, May 4, 2021 – Regular Meeting
- C. Actions, May 13, 2021 – Special Meeting and Budget Adoption
- D. Minutes, May 13, 2021 – Special Meeting and Budget Adoption

Castillo/Floyd-Cranford

9 Voted in Favor

5. COMMUNICATIONS.

Secretary Castillo noted there were two letters sent to the Board of Directors from residents who were not in favor of using Project Labor Agreements for Town projects. There was also a communication received regarding the Manchester warming center.

Vice Chair Jones stated each Board member received an individual thank you card from Mr. Agostinelli for renaming the Veterans Park in his honor. The Board received an email sent from a concerned citizen about the flag policy which suggested that the Board of Directors had directed the Manchester Police Department to remove a flag in front of their building. The Board did not request any such action.

6. REPORTS.

A. Manager's Report

1. Youth Commission Annual Report.

General Manager Shanley noted the first report this evening is the Youth Commission's annual report.

Kiara Thornton-Bey, Chair for the Manchester Youth Commission, explained this Annual Report is for September 2020-May 2021.

McKenna Piper, Vice-Chair, stated twelve new Youth Commission members were sworn in on September 1, 2020, starting the year with twenty-three total members. Twenty-one served a whole year and two were dismissed due to excessive absences. Seven seniors are graduating in June, and the remaining fourteen have committed to another year of service. For the 2021-2022 year, they have accepted six new applicants bringing enrollment to 20. Though dealing with COVID-19 challenges of the past year was difficult, they overcame challenges with collective strengths and leadership. They bid a sincere farewell to the graduating seniors and hope the new members will prove themselves as enthusiastic about bettering the circumstances of local youth as departing members have been.

Shaynah Miralles Castro reviewed the Youth Commission's successes of the past year. Meetings had to be virtual and attendance was adequate at each meeting to have a quorum. They were able to conduct an outdoor socially distanced in-person boot camp for the new members. Several members participated in a focus group for the Manchester Parks Master Plan and in a UConn focus group regarding how COVID-19 has impacted individuals' mental health. They conducted their annual Martin Luther King, Jr. Day Celebration virtually and found new ways to involve the community, including two outside keynote speakers. They contributed \$800.00 to the Rise Up Mural at Mahoney Recreation Center. In May, they held an in-person overnight retreat where they had a real chance to get to know each other. Overall, in a year filled with potential pitfalls, the Manchester Youth Commission was able to find great success in all of the little victories.

Alexander Schraedley explained the Manchester Youth Commission's grant process. Each year, they are entrusted with up to \$5,000 by the Board of Directors to fund youth-led projects throughout the community. The Philanthropy sub-committee fully digitized the grant application and review process, achieving a 2019-2020 goal to overhaul the old system. This year, eight grant applications were received which all were granted their desired funding. Once the funding was granted, the Philanthropy sub-committee set up virtual meetings with grantees to evaluate youth leadership and grant usage within the programs.

Alexandra Hamza, Treasurer, reviewed the projects that received funding. Gentle Love Diaper Pantry's Touching Hearts Campaign provides diapers for families in need. MHS World Language Club's Bilingual Book Read purchases books in Spanish and English to read to elementary students to encourage biliteracy at a young age. PowerUp Manchester's Youth of Color Bike Drive purchased bikes for youth in Manchester. CAST's Virtual Youth Theater used grant funds to pay for script royalties, staff, and materials to host a virtual youth theater. MHS Class Board 2022's Community Drive-in Movie will host a socially distanced movie night at the Manchester High School senior parking lot.

She then talked about Training and Development. Each year the Youth Commission ensures that training is provided to enhance leadership and active membership which facilitates personal and group development. This year's training included boot camp to teach Commissioners the responsibilities and processes of the Commission. They held an Election Day Team Building Event, Martin Luther King, Jr. Celebration, Grant Grading Seminar, PAWS Conference on substance use and abuse, and an annual retreat.

The Youth Commission faced many challenges over the past year, the largest of these was COVID-19 making historically easy tasks much more difficult. Recruiting was a struggle. Though Zoom meetings allowed for safe meetings, in-person meetings allow for more meaningful conversations. Creating greater visibility and awareness about the Commission's work was difficult with fewer opportunities to network with organizations and government agencies. As in the past, the commission continues to lack members from schools besides Manchester High School though they continue to reach out.

Zachary DelGaizo, Secretary, explained that each year the Commission creates a list of priorities for the upcoming year. To further develop as a resource to community members, the commission's goals centered primarily on nurturing community connections. This year's goals were to prepare new officers for roles vacated by seniors, establish better means of communication within local government, encourage and seek out more youth to perform at the annual Martin Luther King Jr. Celebration, increase social media presence, improve the grant process, increase contact with community organizations, complete implementation of the Community Task Force to get more youth involved in community events, increase awareness of the Commission in underserved and underrepresented sectors of the community, and increase recruitment from those areas, and increase recruitment in all Town schools.

Kiara Thornton-Bey closed the presentation expressing her thankfulness for all of the opportunities awarded to her through the Commission. She is confident that Vice-Chair McKenna Piper will step gracefully into her new role as Chair and lead with creativity and strong leadership. She is optimistic that the remaining members will continue to impact the community. She is grateful to Heather Wlochowski for her guidance to the commissioners and to the Board of Directors for its support and trust in the Youth Commission. She appreciates everything the Youth Commission has done for her and many others over the last 12 years.

Director Floyd-Cranford commended the Commissioners for continuing to serve the community throughout the pandemic. She is very impressed and is extremely proud of the work they do.

Vice Chair Jones appreciates the service the Youth Commission has continued to provide. Four years is a long commitment. Manchester is so well served by the Commissions thoughtfulness and contributions. She encouraged those graduating to continue to share their thoughts on how to make Manchester better.

Director Dougan has been very impressed with all the work the Commissioners have done. It is very important to have students that see the community as something valuable and feel truly part of. She looks forward to see what the Youth Commission does in future years.

Mayor Moran thanked the commissioners for their very thorough report and their enthusiasm. He is always impressed and proud of the work done by the Youth Commissioners. In a world that is so divided, you give us hope that the future is bright. Continue to be leaders wherever you go.

2. Update from the 21st Century Library Task Force.

General Manager Shanley explained that at the Board of Directors' request, the Library Advisory Committee formed a subcommittee to explore what a 21st Century Public Library for Manchester should be. Miriam Byroade from the Library Board and Stephen Ristau, Task Force chair, are here to report on their progress.

Ms. Byroade thanked the Board of Directors for creating the Task Force. A team of volunteers has collectively contributed hundreds of hours, meeting several times each month and individually completing research, touring facilities, analyzing data and meeting with Town officials.

The task was to explore and research current information to determine the appropriate set of services and requirements for a 21st Century Public Library, review, discuss and comment on earlier studies and plans to address these issues, determine how these ideas, concepts and vision relate specifically to Manchester in terms of space needs and location, to meet with the Repurposed Schools Committee and advise them on our findings and to report to the Board of Directors by September 2021 with findings and recommendations for future action by the Board.

Mr. Ristau explained the Task Force has designed a project plan. Doug and Norma from the library have been an integral part of activities and have supplied us with their insights and connections to past studies, peer public libraries and current staff. Deputy General Manager Stephanou has been a great support and has connected us to Town staff and resources. We have also contacted leadership of the Repurposed Schools Committee, and have committed to touring the schools in the near future. We have toured Mary Cheney and Whiton Libraries to see firsthand what the challenges and limitations are. Small groups of our Task Force have also visited Wallingford and West Hartford libraries as local examples of the amount and use of space we hope to see in Manchester. The Task Force reviewed State and National standards for modern public libraries for incorporation into our final recommendations. We also surveyed and met with current Manchester Public Library staff to identify needs and priorities.

Finally, we have been designing the community engagement phase of our work which includes building a page on the Your Voice Matters Manchester website. We have prepared a media release announcing this campaign to encourage the public to participate either online or through the survey. We plan to reach out to several cultural and civic associations, with a particular emphasis on reaching those who are less engaged in community activities. We will have a presence at various events this summer including library tours. The usual social platforms will also be utilized.

Ms. Byroade reviewed next steps: Keep the progress going, request that the Board of Directors tour the Mary Cheney and Whiton Libraries to see firsthand what we have seen, present a final report to the Board in September and ultimately make a 21st Century Public Library a reality for Manchester.

3. Presentation from the Manchester Historical Society on Manchester's Bicentennial.

General Manager Shanley introduced President Jack Prior and Mana Zarinejad from the Manchester Historical Society who are here to present their vision for a bicentennial celebration in 2023.

Ms. Zarinejad stated their vision is to highlight the transformation of Manchester over the past two hundred years, to celebrate and honor the Town's diverse populations and their histories, and to learn from the past to create a more inclusive present. We will also highlight our vision of the next hundred years of the Town's growth and development, and encourage a sense of excitement about Manchester's future.

The Historical Society will partner with Town staff, provide leadership through a steering committee, serve as fiduciary and lead fundraising for the celebration, undertake outreach to all stakeholders and execute a communications strategy. The steering committee, with 4-6 honorary co-chairs, will include several subcommittees including outreach, events, fundraising, communication and leadership. Our launch for the Bicentennial will be on January 1, 2022, inviting Town residents to participate in planning the celebrations.

Mr. Prior stated they anticipate using several locations throughout Manchester for the bicentennial, including their society headquarters on Pine Street, Cheney Homestead, Old Manchester Museum, the Woodbridge Farmstead and other available outdoor spaces.

Ms. Zarinejad reviewed possible events and activities for the bicentennial which include a daylong celebration ("Bicentennial Day"), parade, food trucks, educational programs, events to honor and involve local indigenous population, poetry, art and photography competitions, Town-wide art installation, historical and musical celebrations, community dedication, and time capsule creation and opening. Bicentennial Day would ideally be a Saturday in June or September, and would include a rain date. We do not intend to define the bicentennial; we want to encourage others to identify ways they would like to commemorate or celebrate it.

Next steps include creating the steering committee infrastructure, identifying financial and fiduciary responsibilities, outreach and engagement of government leaders, educational leaders, community and service groups, local business, Greater Manchester Chamber of Commerce, Imagine Main Street and others, and to initiate pre-bicentennial communications (website, logo, signage, etc.) and fundraising.

Mayor Moran suggested that the Manchester Historical Society members meet with leadership from the 175-year committee and Pride in Manchester committee.

B. Other Reports. **None.**

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

A. Purchase of softphone licenses.

General Manager Shanley explained the softphone licenses would enable those working from home to be able to use the telephone seamlessly through their laptops. It is a bid waiver due to the specific operating software and hardware we have which is integrated with our current vendor. This will allow Town staff to continue to work from home as needed.

Director Bergin questioned the timing of purchasing these licenses with Town staff now returning to the office. This would have made more sense earlier in the pandemic. He understands some employees may be hesitant to have their personal cell phones public, but there are existing alternatives to softphones including phone forwarding and Google voice.

Ms. Lord, Director of Finance, explained that funding for the softphone licenses is from the Innovation Fund which was just approved in December.

Mr. Anderson proposed using the Innovation Fund to purchase softphones to allow staff working remotely to have access to telephones. Some staff had issues forwarding phones to their personal cell phones and some had issues with cell phone service in their homes. They initially considered using Google voice but Information Systems staff felt this was a better solution.

Director Bergin asked if more permanent work-from-home arrangements are being contemplated for staff.

General Manager Shanley stated we are currently requiring staff to come back in to the office at least two days a week. There will be a case-by-case assessment of individuals and their specific responsibilities as to the appropriateness of them being able to continue working remotely, at least part time. He was initially skeptical about staff working remotely but it has worked well in some areas, when properly structured.

Mayor Moran asked about softphones for Board members. He has had to use his cell phone to return calls to residents and has been uncomfortable doing so, as are other Board members.

General Manager Shanley will look into this.

Conyers\Marois

9 Voted in Favor

8. PUBLIC HEARINGS (formally advertised).

A. Appropriations to Special Projects as follows:

1. Federal Asset Forfeiture Account \$5,437
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
2. Health Department – Epidemiology and Laboratory Capacity (ELC) Cooperative Agreement Grant (5/18/2021 - 11/17/2022)..... \$190,917
to enhance local efforts supporting COVID-19 testing activities, surveillance and transmission prevention.
3. Recreation Department Special Activities Fund..... \$11,832
to be financed by a donation from the Lawrence Wells Case and Florence Reid Case Memorial Fund at the Hartford Foundation for Public Giving for seven benches and a picnic table at Case Mountain in honor of Case family ancestors who developed and stewarded the trails and in honor of Susan and Malcolm Barlow and Fred Spaulding which is gratefully acknowledged and accepted.
4. Vacant Building Account..... \$1,500
to be funded by a lien on property located at 43 Elro Street due to a tree removal done by the Town of Manchester.

5. Recreation Department – Cruisin’ on Main..... \$15,000
for program costs for the 2021 event, all direct costs to be reimbursed by the Cruisin’ on Main Committee.
6. General Fund Reserve Accounts..... \$773,527
to bring accounts into balance by appropriating revenues received but not appropriated.
7. Increase to Child Day Care (CDC) Grant (10/5/20 to 6/30/22)..... \$22,644
to be funded by a grant from the State Office of Early Childhood to support 40 full-time preschool slots, 36 full-time school age slots and 26 part-time school age slots at Manchester Early Learning Center (MELC), bringing the total appropriation to \$802,746.
8. Manchester Senior Center..... \$1,882
to be funded by reimbursement from the Connecticut State Unit on Aging to support meal program operation and the purchase of food storage systems during the COVID-19 pandemic.

General Manager Shanley explained that for item 8.A.6. there are a large number of accounts where we appropriate funds from the general fund and receive revenues with matching grants which need to be appropriated by the Board of Directors.

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 comments, Mayor Moran closed the public hearing on the above items.

- B. Appropriation to FY 2021-2022 Recreation Special Activities Fund, consistent with anticipated programming - Leisure Programs \$310,000
to be financed by program fees and a one-time \$30,000 transfer from General Fund operating surplus.

General Manager Shanley explained this is done on an annual basis to appropriate all the funds which will be coming in through fees which can then be turned around to use for staffing.

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 comments, Mayor Moran closed the public hearing on the above items.

- C. Appropriation to Streetlight Capital Improvement Reserve \$9,419
for installation of four (4) streetlights in Phase 1 of the Bayberry Crossing Subdivision, funded by a payment from Bayberry Developers, LLC.

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 comments, Mayor Moran closed the public hearing on the above items.

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

General Manager Shanley explained that these revisions were discussed as part of the budget process. This year, \$2.4 M of COVID funding was used in order to bring down the water and sewer percentage increase, which the Board may choose to redirect during the public hearing process for COVID funding.

E. Approval of Community Development Block Grant Proposed Annual Action Plan for Year 31 (October 1, 2021 – September 30, 2022).

Ms. Guerette, Community Development Program Manager, explained that CDBG funds come from the Department of Housing and Urban Development (HUD). Any project funded by CDBG has to meet one of three national objectives: Benefit low/moderate-income persons (most commonly used), aid in prevention or elimination of slum and blight or meet an urgent community development need for which no other funding exists. The goal of CDBG is to help develop viable, healthy communities through decent housing, suitable living environment and expanded economic opportunities, primarily intended to benefit low-income residents. This year's funding is \$573,392 which is just .06% more than last year. Manchester operates on the federal fiscal calendar with a program year of October 1 – September 30. The Action Plan describes the projects that will be funded and their goals.

There were sixteen funding applications received for the upcoming program year totaling \$1.14M. The General Manager's funding recommendations include \$4K for BrightStart Family Workshop and \$10K for Interval House East. Capital improvements include \$59K for sidewalk extension on Tolland Turnpike Sidewalks, \$195K for the Housing Rehab Program, \$92K for Rebuilding Together for its roof replacement program, \$48K for an accessibility project at Work_Space and \$50K for MACC to replace boilers in a 3-family affordable housing unit.

At tonight's meeting, the Board of Directors should decide if they'd like to proceed with the General Manager's recommendations or make changes. A public hearing will be held on the proposed action plan and then the proposed action plan would be approved. At the July 6th Board meeting, a public hearing is held on approval of action plan and appropriation of the funds and then the action plan is adopted and funding is appropriated. The proposed action plan is then sent to HUD for final approval.

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 comments, Mayor Moran closed the public hearing on the above items.

F. CDBG-CV (CARES Act) funds

1. Approval of the Community Development Block Grant (CDBG-CV) CARES Act Substantial Amendment to the Annual Action Plan for Year 30 (October 1, 2020 – September 30, 2021)
2. Appropriation to Community Development Block Grant CV006 account ... \$812,580

General Manger Shanley explained that in the first COVID relief package issued last year, the Town of Manchester received an additional \$812K in CDBG funding. Director of Planning Gary Anderson will explain what that funding will be used for.

Mr. Anderson stated this funding comes directly from the Coronavirus Aide, Relief and Economic Security (CARES) Act approved by Congress last year to assist communities in addressing the growing needs brought forth by the pandemic. These funds must be used to address a priority community need and primarily benefit low or moderate income residents. They cannot be used to duplicate other COVID recovery programs. We received nine applications for this funding for programs that address food insecurity, housing instability, and health and wellness needs. In addition, there was one application for park improvements to allow for socially distanced park activities. We are able to reserve funds to address emerging public health needs. The recommendation is to use \$660K for public services, \$26K for park improvements and \$126K for planning and administration. This evening the Board of Directors

is being asked to approve the substantial amendment to this year's CDBG funding for the additional funding, and to approve the recommended allocation of funding.

General Manager Shanley noted the substantial amendment is a procedure required by HUD in order to integrate these funds into their system.

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 Floyd-Cranford asked if any of this funding for emerging needs could be used for the warming center.

Ms. Guerette stated that is a possibility as it would be serving a target population, as long as the need can be tied back in to COVID.

General Manager Shanley explained there is currently a subcommittee working on the issue of homelessness. They will have a recommendation on how we should move forward on this issue in the next few months.

Director Schain asked what the timeframe is for use of this funding. He also asked for clarification on the large amount of funding allocated to administration.

Ms. Guerette stated we have four years from the time we sign the grant agreement with HUD to use the funding.

Mr. Anderson explained that the HUD cap on administration funding is 20% and this reflects approximately 15% of the funding. There is the opportunity to shift the funding to programming if that amount is not needed for administration costs.

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

G. Revenue and Expense Appropriation to WORK_SPACE \$203,836
representing the estimated annual revenue and expenses for the facility for
FY 21/22.

General Manger Shanley explained this amount is what Work_Space expects to receive in revenue in FY 21/22. The current year has been very challenging due to limitations of the pandemic but Work_Space has maintained about 35 members. We have had no revenue from meeting space due to the pandemic but we were able to utilize some of the reserves that we had as a result of the successful year we had prior to help offset some of the current year. In the coming year, we expect to be back to full revenue generating capacity to support the operation.

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 comments, Mayor Moran closed the public hearing on the above items.

H. Appropriation to FY 2021-22 Police Special Services Fund..... \$1,350,000
to be financed by fees received from outside contractors using officers for
private duty.

General Manager Shanley explained there is a fee structure in place where the private sector pays the Town and the Town pays the officer so that the officer is always an employee of the Town when they are working.

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 comments, Mayor Moran closed the public hearing on the above items.

- I. Appropriation to Public Works Reimbursed Overtime Fund (FY 21-22) \$25,000
to be financed by fees received from outside contractors and private developers
for inspections and maintenance services performed by Public Works staff
outside normal business hours.

General Manager Shanley explained this works the same way as item 8.H.

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 comments, Mayor Moran closed the public hearing on the above items.

9. CONSENT CALENDAR. (Items 8E, F, G and 12 B, C, D, E added)

8A. Appropriations to Special Projects as follows:

- 1. Federal Asset Forfeiture Account \$5,437
for continuing narcotics investigations, equipment, and/or training to be
financed by proceeds from narcotics investigations.
- 2. Health Department – Epidemiology and Laboratory Capacity (ELC)
Cooperative Agreement Grant (5/18/2021 – 11/17/2022) \$190,917
to enhance local efforts supporting COVID-19 testing activities,
surveillance and transmission prevention.
- 3. Recreation Department Special Activities Fund \$11,832
to be financed by a donation from the Lawrence Wells Case and Florence
Reid Case Memorial Fund at the Hartford Foundation for Public Giving
for seven benches and a picnic table at Case Mountain in honor of Case
family ancestors who developed and stewarded the trails and in honor of
Susan and Malcolm Barlow and Fred Spaulding which is gratefully
acknowledged and accepted.
- 4. Vacant Building Account \$1,500
to be funded by a lien on property located at 43 Elro Street due to a tree
removal done by the Town of Manchester.
- 5. Recreation Department – Cruisin' on Main \$15,000
for program costs for the 2021 event, all direct costs to be reimbursed by
the Cruisin' on Main Committee.
- 6. General Fund Reserve Accounts \$773,527
to bring accounts into balance by appropriating revenues received but not
appropriated.
- 7. Increase to Child Day Care (CDC) Grant (10/5/20 to 6/30/22) \$22,644
to be funded by a grant from the State Office of Early Childhood to
support 40 full-time preschool slots, 36 full-time school age slots and 26
part-time school age slots at Manchester Early Learning Center (MELC),
bringing the total appropriation to \$802,746.

- 8. Manchester Senior Center..... \$1,882
to be funded by reimbursement from the Connecticut State Unit on Aging to support meal program operation and the purchase of food storage systems during the COVID-19 pandemic.
- B. Appropriation to FY 2021-2022 Recreation Special Activities Fund, consistent with anticipated programming - Leisure Programs \$310,000
to be financed by program fees and a one-time \$30,000 transfer from General Fund operating surplus.
- C. Appropriation to Streetlight Capital Improvement Reserve \$9,419
for installation of four (4) streetlights in Phase 1 of the Bayberry Crossing Subdivision, funded by a payment from Bayberry Developers, LLC.
- D. Approval of revisions to water and sewer rates, charges and fees.
- E. Approval of Community Development Block Grant Proposed Annual Action Plan for Year 31 (October 1, 2021 – September 30, 2022).
- F. CDBG-CV (CARES Act) funds
 - 1. Approval of the Community Development Block Grant (CDBG-CV) CARES Act Substantial Amendment to the Annual Action Plan for Year 30 (October 1, 2020 – September 30, 2021)
 - 2. Appropriation to Community Development Block Grant CV006 account ... \$812,580
- G. Revenue and Expense Appropriation to WORK_SPACE \$203,836
representing the estimated annual revenue and expenses for the facility for FY 21/22.
- H. Appropriation to FY 2021-22 Police Special Services Fund..... \$1,350,000
to be financed by fees received from outside contractors using officers for private duty.
- I. Appropriation to Public Works Reimbursed Overtime Fund (FY 21-22) \$25,000
to be financed by fees received from outside contractors and private developers for inspections and maintenance services performed by Public Works staff outside normal business hours.
- 12A. Appropriation to Special Projects (under \$500) as follows:
 - 1. Manchester Animal Control..... \$20
to be funded by a donation from Barry Silkowski which is gratefully acknowledged and accepted.
 - B. Approval of the settlement of a Workers Compensation claim by Justin Murphy in the amount of \$445,000, with the Town responsible for \$280,000 and the remainder to be paid by CIRMA.
 - C. Resolution for filing Form SCG-1049 School Construction Grant Application for Keeney Elementary School and assignment of Building Committee.
(Full Resolution attached to Minutes.)
 - D. Approval of a resolution authorizing the General Manager to enter into and execute a Memorandum of Understanding with the Board of Education to set aside unspent operating funds from FY 20/21, in accordance with CT General Statutes 10-248a.
 - E. Approval of MEU Contract.
 - F. Acceptance of the resignation of Matthew Peak (R) from the Charter Revision Commission.

10. ACTION ON ITEMS OF PUBLIC HEARING. (None)

11. UNFINISHED BUSINESS.

- A. TABLED - Appointment to the Repurposed Schools Committee as a representative from the Robertson neighborhood to fill the vacancy left by Maureen O'Reilly.
- B. Decision regarding the use of a Project Labor Agreement for Bowers School Reconstruction.

General Manager Shanley stated that outside counsel attended the May Board of Directors meeting to give an unbiased presentation on Project Labor Agreements (PLA). Following that presentation, the Board requested that the Building Committee consider the use of a PLA for Bowers School reconstruction. The Building Committee held a special meeting to discuss use of a PLA and then provided the Board with its recommendation on whether or not to use a PLA for this project. Chris Till, Facilities Project Manager, is here tonight to talk about their process and answer questions.

Mr. Till explained a very detailed discussion took place which included review of the State statute on PLAs, an outside presenter who described the benefits of PLAs and another presenter who described the downside of PLAs. Following their presentations, there was a question and answer period, and a discussion about the cost of PLA vs. non-PLA projects. After the meeting, committee members were given a survey to complete. Results shows that two of the seven members strongly agree Manchester should consider a PLA for Bowers Elementary School and five strongly agree that a PLA is unnecessary.

Director Bergin feels this is a good opportunity to take action on a single school in the landscape of many schools the Town will be renovating. This gives us the opportunity to pilot the use of a PLA on a single project and then evaluate moving forward.

Director Dougan stated there is a lot to consider. On the last school project, close to 50% of the workers were union workers. We need to consider the number of Manchester businesses that worked on the project that were not unionized. We do not have statistics for minority and women-owned businesses. Without these statistics, with consideration for the recommendation from the Building Committee and with the history of how Town projects have gone in the past, she would recommend not using a PLA for Bowers School.

Director Schain explained this is a big decision. There is always some uncertainty and risk when contemplating change, but as Director Bergin pointed out, we are looking at trying this approach for one project. Using a PLA on this project will then provide us with good information about the benefits and drawbacks. With that information, we can decide whether or not we want to employ this approach more in the future. There is a real promise of benefits for our community for hiring more local workers. He asked what the next steps would be and what the timeline is in the process if we vote to use a PLA for this project.

General Manager Shanley stated the first step would be to engage outside counsel to begin the process of negotiating with organized labor and to determine the confines and the details of the contract and requirements for local employment. It will likely take several months to work out the details. That would then be included in the bid package that goes out so that everyone bidding knows exactly what the requirements for the project are. It is very important to get the bid packages out in December so the

bidders have more time to respond before they have other projects lined up. Delaying the start of the bidding process can also drive costs up.

Director Marois stated the recommendation of the Building Committee is pretty clear. He doesn't feel there are a lot of benefits to using a PLA when considering the efficiency of past projects. He has concerns with trying to recreate the wheel when we already have a process in place that is working very well.

Mayor Moran stated it was difficult getting this information as close to the Board meeting as we did. He does believe PLAs benefit the advancement of minority and women owned businesses.

Director Conyers stated the Board of Directors can have trust in the results that our current process has shown. In looking at the use of a PLA, it is important to listen to the concerns of local small businesses as to the fairness of the process, as well as the recommendation of the Building Committee. He doesn't feel we need to implement the use of a PLA on this project.

Secretary Castillo is in support of using a PLA for this project, as she feels it will help to employ local residents. Once this project is complete, we will then be able to compare a Town project done with a PLA vs. one done without a PLA.

Vice Chair Jones has thought a lot about this issue. In addition to the fiduciary responsibility to the project, we also have a responsibility to our residents. Over this past year, so many people's lives and livelihoods have been adversely impacted by the pandemic and many people are choosing a different career direction. PLAs provide an opportunity to support women and minority-owned businesses and an opportunity to ensure that local residents could participate in paid apprenticeships with benefits that include health insurance. The cost difference with a PLA may be marginal, but the opportunity to improve the lives of some of our residents could be impactful. She would like to see the Board take this opportunity to support our residents in this way.

Director Conyers heard earlier comments about private businesses vs. union businesses. He heard the term "lowest common denominator" and while he can understand that, it can represent an accurately bid proposal by a private company to win a contract. He also heard someone say that private businesses only think of the part and not the whole, which he believes is unfair. Some private companies have contributed to some very impressive building projects in Town, particularly the school projects.

Director Bergin didn't mean for his comment to characterize all private businesses. There is a real external cost to using unskilled labor or labor trained on a lesser standard than we want to see. Those are not always captured when analyzing the cost/benefit of any project.

General Manger Shanley explained that the language used in the bid waiver is lowest responsible bidder. The Town doesn't always go with the lowest bidder, when the lowest bidder is determined not to be responsible. That wouldn't change whether we use a PLA or not.

Vice Chair Jones stated there is a sense of responsibility for the entire process that is endemic and inherent in the approach of a union. That's not to say that private businesses do not have the same approach. The two are not mutually exclusive. The opportunity that unions provide, the benefits that unions negotiate and the apprenticeship program they have provide an opportunity for our residents, which is something we should be supportive of. To say one group provides an opportunity doesn't say that someone else does not.

Director Floyd-Cranford is not for or against unions, as she has seen good businesses on both sides. She supports going forward with a PLA on this project so that we can then do a true comparison of a project using a PLA and one without a PLA. She is in support of labor where there is fairness and equity in pay but also with the totality of inclusion, to bring in more women and people of color to a trade. Some private businesses don't always have the ability to cast a net as wide to get full inclusion and diversity. Using a PLA doesn't exclude private businesses.

Director Conyers appreciates Board members clarifying their earlier comments. We are all here to have a full and open discussion and part of that is to understand each other and where we are coming from. We have local businesses with concerns about the fairness of a project. He has heard fellow Board members say they'd like to try something new and he would understand that if we had seen negative results on a project or a problem with our process, but we have had positive results in previous Town projects, done without a PLA. We task our committees to dive into specific issues and going forward he would like to see them provide us with a more in-depth report as to why they felt one way or another. He will be voting against the implementation of using a PLA on this project.

Director Marois agrees with Director Conyers that we task our committees with work for a reason and we should take their feedback into consideration. Our Building Committee overwhelmingly disagreed with using a PLA on this project so he will vote against it.

Director Dougan asked about the State statutes for municipalities on using a PLA for a project, and whether the Building Committee discussed the details of the statute. As a private business owner, she has employed many women and minorities. We do not need to use a unionized platform in order to achieve that.

Mr. Till stated he took the language directly from section 31-56 B of the Connecticut General Statutes and presented it to the Building Committee, which states that in deciding whether to require a PLA for a given project, the town must decide on a project by project basis that it is in the public's interest to require such an agreement. The town in making this determination may consider the effects a PLA may have on (1) the efficiency, cost and direct and indirect economic benefits to the public entity; (2) the availability of a skilled workforce to complete the project; (3) the prevention of construction delays; (4) the safety and quality of the project; (5) the advancement of minority and women-owned businesses; and (6) employment opportunities for the community.

General Manager Shanley stated these are the considerations that the Board of Directors should take, but are not required to, in determining whether the use of a PLA for a specific project is in the best interest of the community.

Bergin/Floyd-Cranford

**6 Voted in Favor
3 Voted Against**

12. NEW BUSINESS.

APPROVED - G. Appointment of Jennifer Fiereck (R) to the Charter Revision Commission to fill the vacancy left by Matthew Peak.

Dougan/Marois

9 Voted in Favor

H. Discussion: Ethics Presentation.

Attorney Barry reviewed the Standards of Conduct for Municipal Officials. The Charter defines a Town Official as “an elected or appointed official in the executive or legislative branch of the Town, excluding members of purely advisory boards and other boards that have no authority to extend public funds or to otherwise exercise the power of the Town.” § 2-4(e) Standards of Official Conduct states:

1. No person shall offer or give to a Town official or Town employee or a member of his or her family and no Town official or Town employee shall solicit any gift to influence the official or employee in the performance of his or her official duties.
2. No Town official or Town employee shall accept any benefit or income in addition to that received in his or her official capacity for having exercised his or her official powers or performed his or her official duties.
3. No Town official or Town employee shall use or disclose information not available to the general public and gained in the course of, or by reason of, his or her official position or activities to further any person's financial interest.
4. Any Town official or Town employee who has, or whose family has, a financial interest, distinct from that of the general public, in any decision of any Town agency shall disqualify himself or herself from participating in that decision. Any decision made as a result of a violation of this provision shall be voidable, at the option of the Town.
5. No Town official or Town employee shall knowingly have or acquire any financial interest or beneficial interest, direct or indirect, in any business that is incompatible with the proper discharge of his or her official duties or that may tend to impair his or her independence or judgment in the performance of his or her official duties.
6. No Town official or Town employee shall knowingly misuse or misappropriate any Town fund or Town asset.

Attorney Barry then reviewed the Board of Directors Rules of Procedure, last revised in 2020. Rule 20.3 Conflicts of Interest. “Conflicts of Interest are not, in and of themselves, a sign of unethical or improper conduct. They are an innocent consequence of the fact that, outside of their service to the Town, Members of the Board of Directors possess a wide array of professional pursuits, financial interests and personal relationships. However, it is expected that Members of the Board of Directors will be acutely sensitive to the existence of possible Conflicts of Interest and, when a possible Conflict of Interest arises, that they will conduct themselves in a manner that will eliminate any question as to the integrity and impartiality of Town government.” Rule 20.2(4) defines “Conflict of Interest” as “an action, a Financial Interest, or a Personal Interest that a reasonable person would find to be incompatible with the proper discharge of the duties of a Director of the Town of Manchester or that a reasonable person would find likely to impair one’s independence of judgment in the performance of the duties of a Director of the Town of Manchester.” Rule 20.2(5) provides a financial interest exists when the outcome of an action by the Town can reasonably be expected to yield exclusive economic benefit or pecuniary gain. Rule 20.2(10) provides a personal interest exists when the outcome of an action by the Town can reasonably be expected to “yield a material benefit, special consideration, treatment or advantage” to a board member or close relative. Rule 20.2(2) provides “‘Close Relative’ means the spouse, domestic partner, parent, child, step-child or sibling of any Member of the Board of Directors.”

Rule 20.2(4) provides that a Conflict of Interest Exists when a Board Member or close relative:

- a) Has a Financial Interest or Personal Interest in any sale, purchase or lease of real estate, materials, supplies or services to the Town or by the Town;
- b) Is an employee, officer, partner, director or consultant of any Business that provides materials or services to the Town, purchases materials or services from the Town, or otherwise contracts with the Town;
- c) Has a Substantial Ownership Interest in any Business that provides materials or services to the Town, purchases materials or services from the Town, or otherwise contracts with the Town;
- d) Has a Financial Interest or Personal Interest in any legislation or other matters coming before a Town board or commission;
- e) Has a Financial Interest or Personal Interest in any real property located within the Town (excluding a personal residence), the use or development of which may be subject to regulation by the Town;
- f) Has accepted any service, gift, favor or political contribution from any person or business having any dealings with the Town.
- g) Is employed by or renders services for private interests under circumstances where such employment or

service would bring into question his or her independence of judgment in the performance of his or her official duties or permit the inference that he or she has used or disclosed confidential information acquired by him or her in the course of his or her official duties.

He then gave specific examples of previous incidences which were found to be conflicts of interest and other examples which were found to have no conflict of interest. He also reviewed standards on how to handle a conflict of interest. Rule 20.12 provides “The Board of Directors may, by Resolution of Censure, express its sense that the conduct of one or more of its Members has not conformed to these Standards of Conduct.” Upon request of the Chairman and no less than 7 signatures of the Members of the Board, the Chairman shall call a Special Meeting for considering a Resolution of Censure. A unanimous vote of all present and eligible members is needed to pass the Resolution of Censure. The decision may be voidable. The Town Charter § 2-4(b) created the Town Ethics Commission. If a Board Member violates the Town of Manchester Charter § 2-4(e)(4), then an elector or taxpayer of Manchester may submit a complaint alleging violations of the standards of official conduct. The Town Ethics Commission will, through its special counsel, conduct an investigation. The Ethics Commission will then decide to dismiss the case or hold a public hearing. After a public hearing, the Ethics Commission will recommend appropriate action to the Board of Directors. He noted that the Ethics Commission can only advise what to do, but cannot dictate what is done.

Director Bergin recalls that the Board of Directors recently approved a police union contract extension and he found it interesting that no one brought up the fact that a Board member has a brother on the Manchester Police Department. He doesn’t know if it is a conflict of interest, but he is bothered that the Board member hasn’t disclosed this information. He felt it was important to review what the ethics standards are for Board members and how to apply them before going forward.

Director Marois stated his family has a long history of serving this Town. As a Board member, he does take precautions to ensure he is not influencing decisions one way or another. He doesn’t believe he has made any decisions or votes that would be a conflict of interest.

Vice Chair Jones stated she has been on the Board of Directors for three terms and this is the first time this information has been shared. The Rules of Procedure are adopted at the first Board meeting after swearing in new Board members but there is no discussion held on what they are. This information should be shared and discussed at the first meeting of each new term to ensure all new Board members have the information they need to make decisions. She referred back to Rule 20.2(5) which stated a “financial interest exists when the outcome of an action by the Town can reasonably be expected to yield exclusive economic benefit or pecuniary gain”. She asked if Director Marois should have disclosed that his brother is a Manchester police officer because if he voted in favor of the extended contract that included increased wages that his brother would derive economic benefit from. This seems to her to be a potential conflict of interest.

Attorney Barry explained this language is pretty broad so as not to deter residents from their civic duties such as serving on the Board of Directors. It is meant to identify if there is an exclusive benefit or specific financial gain by a Board member or defined person. There is a lot to take into consideration, which is the reason for the Ethics Commission and their detailed process to determine if a conflict of interest exists. If a Board member has a concern about a possible conflict of interest, they should get an advisory opinion from the Ethics Commission. A conflict of interest is not in and of itself a sign of improper conduct. When you take on the role as an elected member of a legislative body, it is important that you understand the rules you are being held to.

Director Dougan stated her daughter is a teacher in Manchester. She asked if it is a conflict of interest that she voted to approve the Board of Education's budget which includes salary increases, or if it would be a conflict of interest if a Director had a homeless relative and they voted to approve the homeless shelter.

Attorney Barry stated Board members vote on a budget that includes the Board of Education budget, but he doesn't see having a daughter teaching in Manchester as a conflict of interest, though he is not the determining authority on this. If a Board member is unsure, it is always best to check with the Ethics Commission.

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

Director Marois asked if there has been any decision made on when the Board of Directors will return to in-person meetings rather than virtual. He has been contacted by residents who would like to attend Board meetings.

Mayor Moran stated there has been some discussion and concern from Board members about being in such close proximity and whether or not there will be a limit on the number of members of the public that can attend.

General Manager Shanley stated it is up to the Board of Directors to determine when they want to return to in-person meetings.

Director Schain understands the desire to go back to in-person meetings, but there needs to be some caution around doing this. We need to ensure it's in the best interest of everyone to come back to the room.

Director Dougan suggested that this topic be added to next week's agenda. She asked about the timeline for appointing members to the new Veteran's Advisory Committee.

Director Conyers stated there have been discussions about appointments to that committee over the past few weeks. He suggested this item be added to July's agenda.

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

Jones/Marois

9 Voted in Favor

Director Floyd-Cranford stated we are still in the midst of a pandemic and there are some people who are opposed to receiving the vaccination. We can have an illusion of space but to fill the Hearing Room with people from the general public when we don't know who has been vaccinated when we may have Board members with compromised immune systems isn't something we should rush into. When we do decide to come back, it should just be Board members, not the general public initially. There is an illusion that we are no longer in a pandemic because restrictions have been more relaxed.

Director Marois understands the concerns raised but doesn't believe the public should be excluded from speaking face to face to the Board. He has received communications from residents who have had a difficult time getting through virtually to speak at Board meetings and others who don't have the necessary equipment to participate through zoom. If the State of Connecticut has lifted meeting restrictions, than we should have in-person meetings.

Director Floyd-Cranford understands Director Marois' concerns, but virtual meeting access has allowed many residents who would not be able to attend the ability to speak before the Board of Directors. Now that we have opened up virtual access to our residents, we should continue with this option.

14. ADJOURNMENT.

The meeting was adjourned until the July 6, 2021 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

Marois/Floyd-Cranford

9 Voted in Favor

Adjournment: 11:13 p.m.

Lgl

APPROVED:

ATTEST:

Secretary, Manchester Board of Directors

12.C.

RESOLUTION

for filing Form SCG-1049
School Construction Grant Application

Keeney Elementary School

1. Resolved, that the Town of Manchester Board of Directors authorizes the Manchester Board of Education to apply to the Commissioner of Administrative Services and to accept or reject a grant for expansion and “like new” renovation of Keeney Elementary School.
2. Resolved, that the Permanent Building Committee is hereby established as the building committee with regard to expansion and “like new” renovation of Keeney Elementary School.
3. Town of Manchester Board of Directors authorizes at least the preparation of schematic drawings and outline specifications for expansion and “like new” renovation of Keeney Elementary School.