

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**OCTOBER 13, 2009 – 7:00 P.M.**  
**LINCOLN CENTER HEARING ROOM**  
**ONE MEETING AGENDA**

**PRESENT:** Mayor Spadaccini, Deputy Mayor Peak, Secretary Pelletier, Directors Tweedie, Beckman, Zingler, O'Neill, Kissmann, and Farina

**ALSO:** General Manager Shanley and Town Attorney Naab

**1. MEETING CALLED TO ORDER.**

The meeting was called to order at 7:05 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Mayor Spadaccini.

**2. AWARDS AND PRESENTATIONS.**

A. Proclamation honoring Manchester Police and Fire Pipe Band.

**Mayor Spadaccini** said it was his privilege to present a Proclamation honoring the Manchester Police and Fire Pipe Band. The group was formed in 1953 and patterned after Scottish military regiments. He expressed his pride and offered congratulations.

**3. OPENING OF MEETING TO ELECTORS OR TAXPAYERS WHO WISH TO BE HEARD ON ANY SUBJECT WITHIN THE JURISDICTION OF THE BOARD OF DIRECTORS.**

**Bob Samuelson**, 108 Hemlock Street, said he is concerned about the Broad Street proposal and the many unanswered questions. He questioned why the Town does not enforce the blight ordinance when it comes to this property. The owner should clean up the property, demolish the building, or provide screening. Instead, Town resources and CRCOG staff are being used. Mr. Samuelson said it does not make sense to allow 650 apartments on land classified as wetlands. The plan proposes high rise buildings, which are restricted at this location.

**Terry Werkhoven**, 88 Santina Drive, said his concern with the Broad Street Redevelopment Plan is what will be done initially with the \$8 Million being sought. He asked why the Town has not enforced the blight ordinance. For fifteen to twenty years, nothing has been done to enforce that ordinance. Now Town staff and resources are being used to show the property owner what to do with his property. He suggested putting the project on hold until all questions are answered. Mr. Werkhoven said the Town is currently \$93 Million in debt. He questioned the cost of the right of way, if Center Springs Park will count as green space, the cost of the Nichols property, and the cost of demolition.

**Milt Perlman**, 3 Sanford Road, distributed two pages of information to the Board of Directors. He said they tell the story of the dismal financial picture of the Town and the State. There is a shortfall in State taxes of over \$1 Billion. Manchester has many properties in foreclosure and pre-foreclosure. The Board should be looking at job development to help the citizens of

Manchester. Mr. Perlman read the referendum question regarding the Parkade aloud and noted that the \$8 Million is for phase one of the project. He wondered how much more it will cost.

**Bonnie Schuetz**, 12 Conway Road, urged the Board of Directors to listen to the speakers. People are saying they do not want the Parkade referendum and are asking where the money is going. Ms. Schuetz went to the public hearing on the Parkade referendum and was upset that the Agency members did not do more of the speaking; Town staff answered the majority of the questions.

**Emma Swetzes**, 45 Waddell Heights Drive, said she read the Parkade Plan many times and wondered if members of the Board have read it. She noticed that the Plan is youth oriented and ignores senior citizens and the handicapped. She said that \$8 Million is the tip of the iceberg; the entire plan is estimated to cost up to \$300 Million. Several years ago the Board of Directors promised to never use eminent domain again, yet it is included in this Plan. She said there is a surplus of rental housing and numerous empty stores; there is no sense in making more. The senior citizens have decided they do not need a new Senior Center. Another entrance is not needed to Center Springs Park as there are already eight or nine entrances. If Broad Street is so blighted, there are legal ways to get the property owners to clean it up.

**Nick Carlo**, 45 Cantone Circle, compared State mandated costs to municipalities to Manchester's mandated costs to the Country Club. He mentioned some costs incurred through the lease agreement and asked for some relief for the Club. He thinks the Country Club did a good job keeping the golf course up with no cost to the Town all of these years. Mr. Carlo would like to make sure the same specifications are used when comparing area golf courses, such as public golf courses owned by a municipality.

**Joe Bernard**, 28 Teresa Road, spoke about Porter Brook. New homes were built on Highland Street and the runoff is going into the brook. He does not know why it is not being fixed and cannot get an answer. At the Nature Center, the brook is used by the children involved in the summer programs. Someone is going to get hurt.

**Tom Stringfellow**, 183 Hillstown Road, congratulated the Pipe Band. He attended the recent youth forum and there was a lot of good information discussed. He wished there were a follow up story by the media. He spoke about the Matthew Shepard Bill, which addresses hate crimes due to sexual orientation. He mentioned articles with advice on communication within families, tanning safety, and recent racial slurs at Manchester Community College.

**Bill Ogden**, 137 Branford Street, said the Board of Directors should know that \$8 Million is just the start of money needed for the Parkade. The taxes are paid on the Parkade property, but not on the Country Club. If a business cannot pay its taxes, it should close. He would like to see people who know how to run a golf course running the Country Club. Mr. Ogden is against taxpayer money going toward fixing up the Parkade. He also does not think taxpayer money should pay for anything for the Country Club.

**Gerome Ghidinelli**, Main Street, spoke about work he did in Manchester years ago and his desire to straighten out the work. He suggested keeping the old Marshall's building at the Parkade and leveling the rest. Mr. Ghidinelli said the entrance at the Mary Cheney Library should be to the left rather than the right and the adult section of the library should be where the children's section currently is.

**Mayor Spadaccini** noted the many comments made about the Broad Street Redevelopment Plan and explained that once an item is put on the ballot, public meetings cannot be used to advocate for the item. He suggested citizens watch the rebroadcast of the public hearing and look for the explanatory text on the referendum which should be mailed out soon.

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

- A. **ADOPTED** - Actions, August 25, 2009 – Public Hearing and Special Meeting
- B. **ADOPTED** - Minutes, August 25, 2009 – Public Hearing and Special Meeting
- C. **ADOPTED** - Actions, September 1, 2009 – Regular Meeting
- D. **ADOPTED** - Minutes, September 1, 2009 – Regular Meeting
- E. **ADOPTED** - Minutes, September 22, 2009 – Policy Briefing Meeting
- F. **ADOPTED** - Minutes, September 22, 2009 – Special Meeting

**Director Tweedie moved and Director Kissmann seconded the motion.**

**Nine Voted in Favor**

**5. COMMUNICATIONS.**

**Mayor Spadaccini** received an e-mail from Tom Reese of Turnbull Road and a member of the Manchester Country Club, explaining the attributes of the Club and asking the Board and the General Manager to assist as they see fit.

**6. REPORTS.**

- A. Manager's Report.
  - 1. Report from Youth Commissioners.

**Joe Wik**, Vice Chair of the Manchester Youth Commission, began the annual report to the Board of Directors. On December 2, 2008, nineteen Youth Commissioners were sworn in. Currently there are fourteen seated members. By 2010 the Commission hopes to have a full Commission. Mr. Wik read the Commission's Mission Statement and said the Commission is looking forward to the new year. He reviewed milestones of the Commission, including participation in the Master Plan, participation in the Martin Luther King celebration, input regarding the Police Chief search, and many more. He attributed a large part of the group's success to training.

**Carolyn Wallace**, Secretary of the Manchester Youth Commission, described the training that Commission members participated in, including a Boot Camp session. Workshops included subjects such as team building, public speaking, leadership styles, Roberts Rules, and more.

**Ashley Mills**, Secretary of the Manchester Youth Commission, outlined some of the challenges met by Commission members. They have learned through their struggles, which included achieving full membership, finding community outreach opportunities, determining priorities, and balancing training and action.

**Richika Makol**, Chair of the Manchester Youth Commission, reviewed the Commission's goals for the 2009-2010 term. They included focusing on youth engagement opportunities, community outreach, and actively recruiting new members. In the Commission's first year, members have

trained themselves as Youth Commissioners and are ready to take more action in the community. She thanked the Board members for their time.

**Mayor Spadaccini** thanked the Commission members for their time and dedication. They have made remarkable progress in a short period of time.

**Deputy Mayor Peak** asked if there are any particular issues that the Board of Directors should focus on. Mr. Wik indicated that the Commission would discuss this and get back to the Board.

### **Manchester Country Club Status Update**

**General Manager Shanley** updated the Board on the status of the Country Club. The Town has issued a letter of default to the Club, which has fifteen days to cure the default. Their bank also has the opportunity to cure the situation. The indication received is that the Club will not cure the default. After the fifteen day waiting period, the Town will issue paperwork that the Club defaulted and take possession of the building. The reality of the timing has been discussed during subcommittee meetings. The Club has been managing that facility for close to fifty years. There will need to be a transitional period. The subcommittee is looking for a one year arrangement with the Club for management of the course. During this time, the Town will put together a request for proposal. One year from now, there will be a new lease with a management company to operate the golf course. The process of putting an RFP together will take some time; we will want to know what our expectations are and need to be very clear on those. Mr. Shanley requested the Board add an Executive Session to discuss contract negotiations.

**Deputy Mayor Peak** would like to make sure this public asset is handled properly. This is a real estate related matter and the Board should hold an Executive Session.

**Director Zingler** asked if Freedom of Information rules allow this type of Executive Session.

**Attorney Naab** said he does not see why not; the Board would need to suspend the rules to add an Executive Session.

**Director Farina** asked why the subcommittee has not yet come back with recommendations. Mr. Shanley explained that he needs to get a feel for the Board's negotiation position and that is the reason for the request for an Executive Session. Mr. Farina said he is hesitant to go into Executive Session at this time.

**General Manager Shanley** understands Mr. Farina's position and that is why he has given full disclosure of what he is trying to accomplish in the Executive Session. The issue is the details of the arrangement with the Country Club over the next year. He has a pretty good idea of where he wants to go, but needs to discuss the matter with the entire Board. Any action on this matter would take place at a Board of Directors' meeting.

**Director Farina** commented that it seems odd to discuss negotiations when the responsibility will be passed onto the next Board, which could have a very different point of view. He said he does not want to get into a situation where the grounds are not maintained. He asked if action will be taken tonight if an Executive Session is held.

**General Manager Shanley** explained that the default has not yet occurred so no action can be taken tonight. This information was brought to the Town, timing notwithstanding, and he is trying to deal with the situation while making sure there is uninterrupted care of the golf course.

**Secretary Pelletier** said she shares some of Mr. Farina's concerns but understands that the Manager and Town staff need to be able to negotiate with the Club.

**Director Kissmann** asked why the Town would put the Club in charge of the golf course for another year if they are willing to default. He is not comfortable with an Executive Session.

**General Manager Shanley** explained that having the Club run the golf course for another year is a practical matter. Rockville Bank has the ability to seize the Club's assets, which the Town will then have to replace in order to run the golf course. Having the Club run the course for one year allows its assets to be utilized. The Town would like to go into an RFP with real clarity as it will be a long contract, possibly as long as fifteen years. He noted that the clubhouse needs investments and asked whether the Town or the management company will be responsible for those. This is the type of concern that needs to be addressed in an RFP. The Club is not able to pay the amount of money required by the lease; Mr. Shanley would not characterize that as willing to go into default, they simply do not have the money. There is a revenue stream created by the Club memberships and a delay in this process will cause problems with that revenue stream. An alternative to this situation is to have the Town run the golf course. However, the Club has been running the course for many years and all of the pieces are already in place. He does not believe it is responsible to go out for an RFP at this time. Mr. Shanley explained that the penalty for default is the loss of lease. Currently the Club has the right to operate the golf course until 2017, unless it defaults.

**Director O'Neill** said that in the past the Board will go into Executive Session for real estate negotiations, pending litigation, or labor negotiations. This does not feel like a typical reason for going into Executive Session. She suggested the Town should draw up a plan and call a special meeting. She asked what happens between the time the lease expires and the next Board meeting currently scheduled for November 17.

**General Manager Shanley** said if an Executive Session is held, he could come out of that with some direction for negotiation. Absent an Executive Session, he could have the discussion in public, which is not a good negotiation strategy or "wing it" and hope the Board likes the contract he negotiates.

**Mayor Spadaccini** said it is clear that there is no consensus to go into Executive Session and suggested that the subcommittee work with the General Manager to develop a contract and come back to the Board with the proper course of action. The Board will hold a special meeting with the opportunity for public comment before any action is taken. He said he does not see the issue with holding an Executive Session, but does not want to be accused of impropriety. It is clear to him that the long term plan, should the lease be terminated, is to hold a community conversation and develop an RFP. There is a need for an interim agreement and the Board needs to act in an expedient manner. Mayor Spadaccini will not do anything to put the facility in jeopardy of closure.

**General Manager Shanley** said he will assume that subcommittee members will be in close communication with their respective caucus members and will represent their caucus' position.

2. Status: Greenway – Gardner Street to Bolton Notch.

**Mark Carlino**, Director of Public Works, explained that the Greenway currently ends at Gardner Street. The next phase in the design extends the Greenway from Gardner Street to the Wyllys Street intersection. The Town is currently waiting for the DOT to authorize it to go to bid, allowing for construction this spring. The design exceeds current funding so the Town is bidding the project with a number of alternates in order to maximize the construction received for number of dollars spent. The next sections of the Greenway after Gardner Street to Wyllys Street will be Wyllys Street to Porter Street, Porter Street to Birch Mountain Road, then Birch Mountain Road to the Bolton town line. There is no funding set aside for any of the next phases. Design is almost complete for the phase from Wyllys Street to Porter Street. There is a preliminary design for the section from Porter Street to Birch Mountain Road and a conceptual design for the section from Birch Mountain Road to the Bolton town line.

**Mr. Carlino** explained that East Hartford, Bolton, and Manchester met with CROCOG staff in April, 2009 and put together a funding request. This is a possible high priority project; Congress is currently in the process of debating this.

**Director Farina** said it is important to move forward with this project and asked if there is anything the Board can do to help.

**Mr. Carlino** said the State Legislature put together a number of projects for bonding, but all have been delayed. As times improve, he is hopeful there may be opportunity at the State level. He said it would help the Town's delegation to know that the community is behind this project.

3. Status: State Budget.

**General Manager Shanley** explained that he is still awaiting details, but the State revenue will be somewhere between \$110,000 to \$170,000 less than anticipated. When he put together the budget, this is in the range of what he was expecting. There are other issues that will need to be discussed going forward, such as the capital budgets being depleted. Mr. Shanley will be planning for another round of service level discussions preceding budget discussions.

4. Status: Update – Energy Improvement District.

**Deputy Mayor Peak** explained that the Energy Improvement District creates a zone around the Manchester Industrial Park and allows a Board to be created to cooperate on energy issues. The Energy Improvement District is currently surveying businesses in the area on energy consumption to determine if a fuel cell is a feasible option. Mr. Peak has heard concerns from a Scott Drive resident regarding a diesel plant, but that has never even been discussed.

**Director Farina** has spoken with the Scott Drive resident with those concerns and asked if it is within the Board of Directors' oversight to say no diesel.

**Deputy Mayor Peak** said the Energy Improvement District will put together a plan. There are three in Connecticut so far and no diesel generator has been proposed so far.

**Mayor Spadaccini** explained that the Board of Directors appoints members to the Energy Improvement District's Board, which is overseen by the Connecticut Siting Council. The notion that the Energy Improvement District will use diesel power is completely false.

**Director Kissmann** agreed with Deputy Mayor Peak. He spoke with a few of the business owners after hearing that diesel was being considered. After some face to face contact with the owners, he learned that there was never any talk of diesel power. The directions being considered are solar and newer energy devices.

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

There were no bid waiver requests at this time.

**8. PUBLIC HEARINGS.**

A. Appropriation to Special Projects as follows:

1. Manchester Early Learning Center (FY 2009/10) ..... \$107,000  
for childcare slots to be financed by the School Readiness - Severe Need Schools grant through the State Department of Education.
2. Historic Document Preservation ..... \$11,079  
for restoration and preservation of historic documents to be funded by preservation fees set aside by Public Act 00-146 for that purpose.
3. Public Safety-Police Department..... \$75,000  
for a self-defense education program, Police Activities League equipment, in-car video system, automated external defibrillators, and a mobile data system to be funded by a Recovery Act Connecticut Justice Assistance Local Pass-Through Grant.
4. Public Safety-Police Department..... \$32,892  
for incident command post equipment and in-car video systems to be funded by the FY 2009 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice.
5. Youth Service Bureau ..... \$144,332  
for the Neighbors for Kids project with Nathan Hale School to be funded by a grant from the Connecticut Health Foundation.

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

B. Appropriations to Education Special Projects as follows:

1. Increase to ARRA National School Lunch Program  
Equipment Assistance Grant ..... \$566  
to be funded by federal stimulus money for the purchase of equipment for the school lunch program at Verplanck School.
2. State Education Resource Center (SERC) and State Department of  
Education (SDE) Professional Development Grant Program ..... \$2,500  
to be financed by a grant from the State of Connecticut for reading comprehension program at Bowers School.
3. Adult Education Services (FY 09/10)..... \$279,021  
to be financed by a grant from the State of Connecticut Department of Education.

- 4. Carl D. Perkins Career and Technical Education  
Secondary Basic Grant (FY 09/10) ..... \$127,759  
to be financed by a grant from the State of Connecticut.

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

- C. Appropriation to Capital Improvement Projects –
  - 1. Energy Efficiency Improvements ..... \$533,700  
for energy efficiency projects at Town and School facilities to be  
financed by an Energy Efficiency and Conservation Block Grant  
(Recovery Act) from the U. S. Department of Energy.
  - 2. Energy Efficiency Improvements ..... \$348,000  
for energy efficiency projects at Town and School facilities to be  
financed by CL&P Connecticut Energy Efficiency Fund credits.

**General Manager Shanley** explained that the Town has been awaiting notification by the Federal Government to move forward. As of yet, the Town has not received direct authorization, but did discover the Town of Manchester has been approved. As soon as there is real clarity, he will come to the Board with an implementation plan.

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

- D. Appropriation to Whiton Library Fund – Renovations..... \$45,000  
for certain capital improvements to be funded by Whiton Library Fund  
Undesignated Fund Balance.

**General Manager Shanley** explained that these funds will be used to make improvements to access and egress, allow for code compliance and address safety concerns.

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

- E. Approval of an amendment to the Code of Ordinances, Chapter 273, Solid Waste, to provide a comprehensive revision to the ordinance. (A copy of the proposed amendment may be seen in the Town Clerk’s office during business hours.)

**General Manager Shanley** noted some concern with respect to the movement to a call ahead system, specifically in one section of town. This ordinance will allow for greater enforcement and the ability to cover costs. Town staff went through the ordinance and made improvements to definitions in the process.

**Mr. Carlino** further explained that some changes needed to be made to address a move out situation. This ordinance will allow the Town the ability to affix a tag to garbage and require its removal within three days. If that does not happen, the Town removes the garbage and charges the property owner for the cost. Updates were also made to reflect the use of the automated system and address some inconsistencies.

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

**Secretary Pelletier** wondered whether information concerning bulky waste disposal had been provided to property owners through the landlord registration system or if it could be provided in the future.

**Mr. Carlino** said the landlord registration process is fairly new, but it could be included with their information. He is considering a number of ways to educate resident and property owners, including water bill mailings.

**Director Kissmann** thanked Mr. Carlino for addressing this concern and thinks that tweaking the ordinance will help in all sections of Town. He suggested putting a link on the Town's website containing information landlords may find useful, with this information included of course.

**Director Zingler** questioned why the authorization of the Director of Health was removed from Section 273-5 on page four. Mr. Carlino explained that it was a duplication within the ordinance.

**Director Farina** thinks there are still kinks that need to be worked out and gave an example of a mattress at the curb next door to his house for three weeks before the property owner brought it to the landfill himself. There is a point where the bulky waste system is abused and that needs to be addressed. He is not convinced the ordinance goes far enough. He asked if there has been any talk of limiting the number of pickups per dwelling per year.

**Mr. Carlino** said this has not been discussed recently. It is known anecdotally that people abuse the bulky waste pickup, but data is needed to talk intelligently about the issue.

**Mayor Spadaccini** expressed his support for this revision and said it is a good way to address concerns. The switch to this system saves the Town \$80,000 per year and people appreciate when the Town does things to save money. He understands both sides of the argument, but ultimately it is the property owner's responsibility to maintain his property. He suggested if a landlord knows in advance that a tenant is moving out, he should be aware of a possible need for a call for pick up.

- F. Approval of a resolution authorizing the appropriation of \$750,000 for the construction of the Hercules Drive Booster Pump Station Project and authorizing the Town to enter into a project funding agreement with the State of Connecticut and any obligations related thereto.

**General Manager Shanley** explained that this project is partially funded through the Capital Projects budget. The scope, time, and other requirements have caused the actual cost to significantly exceed the amount included in the Capital Projects budget. The Town has applied for stimulus funding, but cannot be notified that it is approved for this funding unless the Board of Directors approves the full amount. He is asking the Board to increase approved funding by \$350,000 over what was previously approved. The difference would be covered by stimulus funding.

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

**Deputy Mayor Peak** asked if the bid amounts were a surprise. He said it sounds like the “buy American” requirement had an effect on the bidding.

**General Manager Shanley** said that is one of the reasons for the current estimate, but the estimate significantly exceeded what was put in the Capital Projects budget. This situation needs to be addressed, but without the stimulus money it will need to be addressed in a different way.

**9. ADOPTED - CONSENT CALENDAR (with Item 8.F added).**

8A. Appropriation to Special Projects as follows:

1. Manchester Early Learning Center (FY 2009/10) ..... \$107,000  
for childcare slots to be financed by the School Readiness - Severe  
Need Schools grant through the State Department of Education.
2. Historic Document Preservation ..... \$11,079  
for restoration and preservation of historic documents to be funded  
by preservation fees set aside by Public Act 00-146 for that purpose.
3. Public Safety-Police Department..... \$75,000  
for a self-defense education program, Police Activities League  
equipment, in-car video system, automated external defibrillators, and  
a mobile data system to be funded by a Recovery Act Connecticut  
Justice Assistance Local Pass-Through Grant.
4. Public Safety-Police Department..... \$32,892  
for incident command post equipment and in-car video systems to be  
funded by the FY 2009 Edward Byrne Memorial Justice Assistance  
Grant from the U.S. Department of Justice.
5. Youth Service Bureau ..... \$144,332  
for the Neighbors for Kids project with Nathan Hale School to  
be funded by a grant from the Connecticut Health Foundation.

8B. Appropriations to Education Special Projects as follows:

1. Increase to ARRA National School Lunch Program  
Equipment Assistance Grant ..... \$566  
to be funded by federal stimulus money for the purchase of equipment  
for the school lunch program at Verplanck School.
2. State Education Resource Center (SERC) and State Department of  
Education (SDE) Professional Development Grant Program ..... \$2,500  
to be financed by a grant from the State of Connecticut  
for reading comprehension program at Bowers School.
3. Adult Education Services (FY 09/10)..... \$279,021  
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Education.
4. Carl D. Perkins Career and Technical Education  
Secondary Basic Grant (FY 09/10) ..... \$127,759  
to be financed by a grant from the State of Connecticut.

- 8C. Appropriation to Capital Improvement Projects –
- 1. Energy Efficiency Improvements ..... \$533,700  
for energy efficiency projects at Town and School facilities to be financed by an Energy Efficiency and Conservation Block Grant (Recovery Act) from the U. S. Department of Energy.
  - 2. Energy Efficiency Improvements ..... \$348,000  
for energy efficiency projects at Town and School facilities to be financed by CL&P Connecticut Energy Efficiency Fund credits.
- 8D. Appropriation to Whiton Library Fund – Renovations..... \$45,000  
for certain capital improvements to be funded by Whiton Library Fund Undesignated Fund Balance.
- 8F. Approval of a resolution authorizing the appropriation of \$750,000 for the construction of the Hercules Drive Booster Pump Station Project and authorizing the Town to enter into a project funding agreement with the State of Connecticut and any obligations related thereto. (**NOTE: Entire text of the resolution attached.**)
- 12A. Appropriation to Special Projects (under \$500) as follows:
- 1. Police Donations Revenue Account - Manchester Police Explorer Post..... \$175  
from dues which is gratefully acknowledged and accepted.
  - 2. Police Donations Revenue Account..... \$50  
to be funded by cash donation from child safety seat installation.
  - 3. Human Services Donation Account..... \$100  
to be funded by a donation for school supplies from Marsha J. Howland which is gratefully acknowledged and accepted.
  - 4. Manchester Animal Control ..... \$35  
to be financed by donations from Harriet E. Holmes (\$25) and two \$5 cash donations which are gratefully acknowledged and accepted.
- 12B. Acceptance of donations of gift cards (\$349) from participants of the Rape Aggression Defense (R.A.D.) training class to Manchester Police Department Explorer Post #77 to purchase supplies which are gratefully acknowledged and accepted.
- 12D. Acceptance of resignation of Matthew S. Galligan (R) from the Planning and Zoning Commission (alternate member), with a term expiring November 2010.

**Secretary Pelletier moved and Director Zingler seconded the motion.**

**Nine Voted in Favor**

**10. ACTION ON ITEMS OF PUBLIC HEARING.**

- 8E. **ADOPTED AS AMENDED** - Approval of an amendment to the Code of Ordinances, Chapter 273, Solid Waste, to provide a comprehensive revision to the ordinance. (A copy of the proposed amendment may be seen in the Town Clerk's office during business hours.)

**Director Zingler moved and Director Beckman seconded the motion.**

**Nine Voted in Favor**

**RECESS.**

The Board of Directors took a brief recess at 9:40 p.m. and returned at 9:55 p.m.

**Secretary Pelletier moved and Director Tweedie seconded the motion.**

**Nine Voted in Favor**

**11. UNFINISHED BUSINESS.**

- A. **REMOVED** - Approval of a resolution authorizing water and sewer service to 98 Boston Turnpike, Bolton, Connecticut (property owner withdrew request on 9/08/09).

**Secretary Pelletier moved and Director Zingler seconded the motion.**

**Nine Voted in Favor**

**12. NEW BUSINESS.**

- C. **TABLED** - Authorization for General Manager to execute Stakeholder Agreement – Tankerhoosen River watershed management plan.

**General Manager Shanley** explained that communities encompassing the Tankerhoosen River watershed area are being asked to enter into a watershed management plan agreement. The agreement affects other communities much more than Manchester, as Manchester only has about 0.5 miles of land within the watershed area. Manchester already upholds best management practices.

**Ann Letendre**, representing Friends of the Hockanum River Linear Park, explained that this agreement affects four towns: Bolton, Vernon, Manchester and Tolland. Approximately 70% of the watershed area is in Vernon, 18% is in Tolland, and the rest is in Manchester and Bolton. Her goal is to have the agreement signed by all four towns involved. The watershed plan was put together by Fuss & O'Neill and is being looked at as the new model for the State because of how complete the plan is.

**General Manager Shanley** added that the goal of the plan is to maintain and enhance water quality along the Tankerhoosen and its tributaries and to raise consciousness of the watershed area. Currently, the watershed area in Manchester contains low density housing.

**Mayor Spadaccini** confirmed that only a small part of the watershed area is in Manchester and is consistent with the Town's current efforts. Mr. Shanley said he is correct. Mr. Spadaccini asked if there would be any impact to or from the one commercial use in the area.

**Ms. Letendre** said the plan outlines broad goals and there will be no impact to the commercial business.

**Secretary Pelletier** asked why the document was not placed before the Planning and Zoning Commission for review. General Manager Shanley said he could ask the Planning and Zoning Commission to review this plan the Board approves it. The impact of the plan is very minor, especially in comparison to other communities. The plan asks Manchester to do everything we are currently doing.

**Deputy Mayor Peak** said this area contains a significant amount of undeveloped area. He is confident in the answers given that this will not change the Plan of Conservation and Development.

**Ms. Letendre** said most of the work is already done. This will allow a base line of water quality to be established. In 2000, the Department of Environmental Protection put the Tankerhoosen on its impaired list. The current goal is to keep the status quo and prevent any more degradation.

**Secretary Pelletier** said she is inclined to request a professional courtesy review by the Planning and Zoning Commission before approving this.

**Secretary Pelletier moved and Director Zingler seconded the motion.**

**Nine Voted in Favor**

- E. **APPOINTED** - Appointment of an alternate member (R) to the Planning and Zoning Commission, with a term expiring November 2010, to fill the vacancy left by Matthew S. Galligan – Anthony Petrone, 404 North Main Street.

**Secretary Pelletier moved and Director Tweedie seconded the motion.**

**Nine Voted in Favor**

- F. **APPROVED** - Approval of a resolution supporting Town of Manchester participation in review of possibility of creating regional solid waste authority.

**General Manager Shanley** explained that CRRA exists to serve its member municipalities, whose pledge expires in 2012. A number of communities are working together to find ways to handle solid waste other than through CRRA. This resolution says that Manchester will be part of that review. He believes it is important to have a full analysis of options available to us.

**Mayor Spadaccini** said this has been a significant topic of discussion at CRCOG meetings. There is strength in unity in solving solid waste management issues. This action will put us on the path of working together with towns throughout the area. Granted, this issue is more acute for other towns because they pay for trash pickup with town taxes. Manchester currently has the luxury of the use of the Sanitation Fund to pay for its trash pickup. This will help Manchester with a long term solution when at some point the landfill closes and no longer subsidizes trash pickup.

**Director Zingler** noted the \$500 requirement in the last paragraph as well as a mention of other costs. He asked what the other costs may be.

**General Manager Shanley** said it is too soon to tell. Since this is just in the beginning phases, the Town does not know yet what this will look like or if we even want to be part of it.

**Director Tweedie moved and Director Kissmann seconded the motion.**

**Nine Voted in Favor**

G. Discussion: Blocking the Box Ordinance.

**Director Farina** asked that this item be put on the agenda due to a recent law that was passed by the Legislature. He had hopes that this would help with the traffic problem in the mall area. Chief Montminy has indicated that he does not think this would help that particular problem. Mr. Farina respects his opinion and suggested that perhaps a traffic study is in order in the future.

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

**Director O'Neill** asked for a sewage treatment status update on a future agenda.

**Deputy Mayor Peak** said two residents have asked him questions about felled trees on neighboring property and how the property maintenance code handles this situation. General Manager Shanley said he will send out a neighborhood inspector to determine whether there is a violation.

**Deputy Mayor Peak** mentioned the strong efforts to get the Spruce Street Blockwatch involved in reviewing the building use for the Community Building. He asked about the state of communications with the neighborhood.

**General Manager Shanley** said the communications with the neighborhood have been on the physical plan of the building. The Board of Directors passed a very detailed resolution regarding the activities. At this point, he is waiting until he gets dollar figures to see what work can be accomplished.

**Director Kissmann** relayed a concern about a tree sitting very close to the street near 20 Spring Street. There are some dead limbs and the property owner is concerned that the tree will fall. Mr. Kissmann said Mark Carlino did an excellent job at a recent blockwatch meeting.

**Director Zingler** received a complaint about the lack of handicap parking spaces on Main Street. He understands there are some behind the buildings, but it has been explained that it is a very tedious process to park behind the building and then try to go around and get into the building from Main Street. He asked if this is something that needs to be addressed.

**General Manager Shanley** said an extensive amount of work has been done with the parking on Main Street to make sure everything is legal. He has actually heard complaints from the opposite camp; that the number of handicap parking spaces has reduced the number of regular spaces and there are now too few regular parking spaces.

**Director Zingler** reminded citizens that the Household Hazardous Waste Day is Saturday from 8:00 a.m. to 1:00 p.m. Election Day is November 3, 2009 and the Registrar's Office is open additional hours for registering voters.

**Director Beckman** thanked the Library staff for its work on the Consumer Protection Clinic. It was well attended and he looks forward to seeing it grow.

**Mayor Spadaccini** noted that tonight is the last regularly scheduled meeting of this Board of Directors. He said it has been an honor and a privilege to serve as Mayor of Manchester for the past two years. He greatly appreciates the efforts of those he served with and wishes them well.

**14. ADJOURNMENT.**

The meeting was adjourned until the November 17, 2009 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

**Director Beckman moved and Director Tweedie seconded the motion.**

**Nine Voted in Favor**

**Adjourned:** 10:37 p.m.

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**APPROVED:**

**ATTEST:**

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**Secretary, Manchester Board of Directors**

Attachment to the October 13, 2009 Minutes of the Regular Meeting of the Board of Directors

**RESOLUTION AUTHORIZING THE APPROPRIATION OF \$750,000 FOR THE CONSTRUCTION OF THE HERCULES DRIVE BOOSTER PUMP STATION PROJECT AND AUTHORIZING THE TOWN TO ENTER INTO A PROJECT FUNDING AGREEMENT WITH THE STATE OF CONNECTICUT AND ANY OBLIGATIONS RELATED THERETO**

WHEREAS, the Town of Manchester (the "Town") has made application to the State of Connecticut for project grant funding in an amount not to exceed \$750,000 to provide payment for the construction of the Hercules Drive (High Zone Booster) Pump Station (the "Project");

WHEREAS, the State of Connecticut has approved the application and proposes to enter into a Project Funding Agreement between the State of Connecticut, acting by the Commissioner of the Department of Public Health (the "DPH") and the Commissioner of the Department of Environmental Protection (the "DEP"), and the Town under the Drinking Water State Revolving (DWSRF) Fund Program (the "Agreement");

NOW THEREFORE, be it resolved by the Board of Directors of Manchester, Connecticut, as follows:

1. That the Town appropriate the sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) for the Project. The Project appropriation may be spent for design and construction costs, equipment, materials, land and easement acquisition, site work, landscaping, engineering costs, architectural costs, electrical costs, inspection costs, administration costs, legal fees, net interest on borrowings and other financing costs, and other expenses related to the Project or its financing. The Board of Directors shall determine the scope and particulars of the Project and may reduce or modify the scope of the Project, and the entire appropriation may be spent on the Project as so reduced or modified.
2. That to meet said expenses in connection with said water system improvements, there be and hereby is appropriated and added to the Budget for the fiscal year 2009/2010 as an item of capital expense, the following sum, namely:

Purpose	Amount of Appropriation	Particular <u>2009/2010 Budget</u>
Hercules Drive Booster Pump Station	\$750,000	Capital Budget

3. That because the foregoing appropriation and addition to the Budget will increase the total of the expenditure side of the Budget for said fiscal year, it is hereby determined that the foregoing appropriation be financed by state and federal grants and/or loans, including, without limitation, Interim Funding Obligations and Project Loan Obligations (as hereinafter defined).

Attachment to the October 13, 2009 Minutes of the Regular Meeting of the Board of Directors

4. That the foregoing addition to said annual Budget is hereby deemed necessary and in the best interests of the Town pursuant to Section 5-8 of the Charter of the Town.
5. That the General Manager is hereby authorized to apply for and accept federal and state grants and federal and state loans to finance the Project, and to enter into any grant or loan agreement prescribed by a federal agency or by the State, and that the General Manager is further authorized to take any other actions necessary to obtain such grants or loans pursuant to Sections 22a-475 to 22a-483 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements. Any grant or loan proceeds may be used to pay costs of the Project.
6. That the General Manager is hereby authorized to enter into an Agreement with the State in form and substance satisfactory to the General Manager and the Town's legal counsel.
7. That the Treasurer, the General Manager and the Chairman of the Board of Directors (or any two of them) are hereby authorized to enter into all Interim Funding Obligations and Project Loan Obligations (as such terms are defined in the Agreement), agreements or certifications of the Town described therein, and the Town Clerk is authorized to impress the seal of the Town of Manchester on such Agreement.
8. All obligations of the Town under the Agreement, including any Interim Funding Obligations and Project Loan Obligations, shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 22a-479(c) with respect to any Interim Funding Obligations.
9. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that except to the extent reimbursed from grant moneys the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount authorized above for the project. The Treasurer, the General Manager and the Chairman of the Board of Directors (or any two of them) are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes of the State of Connecticut, if issued on a tax-exempt basis.
10. That the Treasurer, the General Manager and the Chairman of the Board of Directors and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project and to enter into obligations to finance the aforesaid appropriation.