

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
JANUARY 8, 2008 – 7:00 P.M.
LINCOLN CENTER HEARING ROOM
FIRST MEETING OF THE MONTH

PRESENT: Mayor Spadaccini, Deputy Mayor Peak, Secretary Pelletier, Directors Tweedie, Beckman, Zingler, O'Neill, Topping, and Sheridan

ALSO: General Manager Shanley and Town Attorney Naab

1. MEETING CALLED TO ORDER.

The meeting was called to order at 7:11 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Mayor Spadaccini.

MOTION TO SUSPEND THE RULES TO ADDRESS ITEM 16.D.

Secretary Pelletier moved and Director Zingler seconded the motion.

Nine Voted in Favor

16. NEW BUSINESS.

D. Appointment of the Town Attorney.

Director Topping and Mayor Spadaccini recused themselves.

Director Tweedie stated that the members of the subcommittee in charge of interviewing attorneys unanimously backed the appointment of Attorney Geoffrey Naab.

Director Sheridan stated that it has been and will be a pleasure to work with Attorney Naab. Manchester is fortunate to have local legal counsel that includes talented, skilled individuals with a desire to serve their community. He wished Attorney Naab all the best.

Secretary Pelletier expressed her pleasure with the first RFP process to appoint a Town Attorney; it was a successful process. Attorney Naab has thirty years experience in law practice and has been active in Town from the PTA all the way through being a member of the Board of Directors. Ms. Pelletier is proud to be appointing an individual who will work with all members of the Board of Directors.

Deputy Mayor Peak stated that he is proud to have Attorney Naab serve as the Town Attorney. Mr. Peak values integrity overall and Attorney Naab is an individual who has integrity and will work well with both political parties and make decisions based on the law. He looks forward to serving with Attorney Naab.

Director Tweedie moved to appoint Attorney Geoffrey Naab as Town Attorney and Director Sheridan seconded the motion.

**Seven Voted in Favor
Peak, Pelletier, Tweedie, Beckman, Zingler, O'Neill, and Sheridan
Two Abstained
Spadaccini, Topping**

Attorney Naab thanked Board members for their kind remarks. He believes that Attorney Darby did a fine job and his shoes will be hard to fill.

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

Tana Parseliti, Downtown Special Services District Manager, 983 Main Street, explained the proposed amendment to Manchester's Code of Ordinances, Chapter 285, Article II, Section 285-16 through 285-26, which will allow changes in the Downtown Special Services District's election process. She explained how the changes would allow the process to be simplified.

John Tunila, 1091 Main Street, is a member of the Board of Commissioners of the Downtown Special Services District. He concurs with Ms. Parseliti's statements and stated he is available if any members of the Board of Directors have questions or concerns.

Arthur Steele, 683 Vernon Street, thanked Mr. Shanley and Mr. Longo for help with getting his signs up this year. His farm is the only one left on Vernon Street and he feels he is being harassed by an authority in Town. Before he began selling trees for the Christmas season, he went to the Police Department to see Chief Berry about controlling the fast traffic on Vernon Street because his customers need to cross the street. Chief Berry wasn't in at the time, so Mr. Steele asked him to call or stop by to discuss the matter. It has been two months and he still hasn't heard from Chief Berry. Mr. Steele hopes Mayor Spadaccini and his group can bring back Manchester's village charm.

Geoffrey King, 62 Arnott Road, made some remarks at the December 18, 2007 Board meeting regarding landlord registration. The Board is not meeting the high standards they set regarding conflict of interest. Mr. King did not approve of the Mayor describing his comments as odious.

Dot Brindamour, 6 Morse Road, would like to see the building near the former Bennet School considered for a youth center instead of the old fire house on Spruce Street. The building already has a pool, bowling alley, and track. She is aware things will have to be fixed, but thinks this is a good choice. Money being spent should be spent wisely. She reminded the Board to think of the children who need good extracurricular activities. Ms. Brindamour expressed her disagreement with combining the Commissions on Aging and Disabilities; each group has their own particular issues.

Joe Brooks, 601 Bush Hill Road, expressed his displeasure regarding his last conversation with General Manager Shanley; he does not intend the criticism to be personal. Mr. Brooks spoke about discrepancies between the police report's account of things and what shows on a videotape

of the same incident. He also spoke about money missing from an evidence locker at the Police Department and the apparent miscommunication problems within the Department.

Eileen Sweeney, Hawthorne Street, spoke in support of the prohibition of smoking near the entrances of the Town's public libraries. Her family is concerned about the long range impact of the demolition of historic buildings around Town. They seem to be disappearing at a rapid pace and with the sturdy buildings go the connection of generations and viable, affordable housing. She suggested the Board adopt a green policy.

Scott Aiken, 92 Laurel Street, looks forward to reading the minutes of the meeting with the State's delegation. He is concerned about the one lane road formed when snow is not plowed all the way back to the curb; New Street can be dangerous. Mr. Aiken stated that the parking situation at Washington School is horrible. He is concerned about the children and also other parents.

Kevin Hood, 83 Sass Drive, spoke in support of the Landlord Registration Ordinance. He is retired from the City of Hartford where one of his jobs entailed finding landlords. He gave an example of one very dangerous situation where a landlord could not be located.

Tom Stringfellow, 183 Hillstown Road, noted that Dr. King's holiday is coming up. He is in support of more affordable housing. There are a number of homeless people and people in shelters. He suggested making Manchester more welcoming. Mr. Stringfellow would like to see crime reform this year and cutting down on recidivism. He would like to hear a report from the Police Department regarding hate crimes. He is also interested in a report on the rehabilitation of ex-inmates.

Milt Perlman, 3 Sanford Road, noted the article in the Journal Inquirer regarding the Board's heavy January agenda. He believes it's nice to talk about the quality of life, but quality of life is a function of income. If incomes are going down and prices are going up, he asked what this does to the quality of life. Mr. Perlman stated that many discussions that need to take place are not. He referenced another article that stated the restaurant at Manchester Country Club closed down with no warning to employees. This is happening at other restaurants in Town. Between 1990 and 2000, 200,000 young people left Connecticut for other areas because there is nothing here for them.

Jim Kurlowicz, 27 Columbus Street, spoke against allowing employees to take Town vehicles out of town to their homes. He requested a list of vehicles going out of town, including who has the vehicle and which town it's going to. Mr. Kurlowicz did not like the way the restaurant at Manchester Country Club closed its doors with no notice to the employees or the Town. The Country Club has a lease with the Town requiring a certain percentage of the revenue generated from the restaurant. He questioned whether the Club may now be in breach of their lease.

Leslie Frey, 30 Florence Street, applauded the Board of Directors in its efforts to fight blight. She supports the Landlord Registration Ordinance. Ms. Frey is in opposition to the proposed condominiums on Lydall Street. She is concerned about Walmart's plans to close their buildings in Manchester and move to South Windsor. Ms. Frey suggested putting a freeze on development of new buildings and forcing new businesses to use existing buildings.

David Carlson, 40 Olcott Drive, spoke in favor of the Landlord Registration Ordinance. He questioned why a landlord would hide if everything is above board. Mr. Carlson believes the Republicans are doing what the voters want them to do.

Bill Ogden, 137 Branford Street, concurred with Ms. Brindamour's sentiments about the youth center location. It would be ideal for the youth in Manchester. He suggested paying for renovations with money from the Mayor's Program for Manchester Children, Inc. Mr. Ogden supports banning smoking near library entrances. He noted the Town should go further and require that the buses transporting our children have exhaust stacks going up rather than out the back where the fumes circulate right into the bus. Mr. Ogden would also like to see seat belts on the school buses.

3. PUBLIC HEARINGS.

A. Appropriation to Special Projects as follows:

1. Manchester Dog Pound.....\$225
to be financed by a donation from the K-9 Kerplunck event which is gratefully acknowledged and accepted.
2. State Asset Forfeiture.....\$12,084
for continuing narcotics investigations, equipment and training to be financed by proceeds from narcotics investigations.
3. Federal Asset Forfeiture Account\$5,479
for continuing narcotics investigations, equipment, and/or training to be financed by proceeds from narcotics investigations.
4. Expanded DUI Enforcement Grant (2007/2008).....\$95,775
to be financed by a grant from the State of Connecticut, Department of Transportation.
5. Police Department – Public Safety\$800
for youth oriented and community based projects to be financed by a donation from Rockville Bank Community Foundation, Inc. which is gratefully acknowledged and accepted.
6. Manchester Public Library.....\$325
for purchase of books to be financed by a donation from David and Billie Kapp which is gratefully acknowledged and accepted.
7. Youth Service Bureau – Children's Mental Health Planning Grant.....\$125,000
to be financed by a grant from the Connecticut Health Foundation.

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

Tom Stringfellow, 183 Hillstown Road, spoke in support of the DUI Enforcement Grant, Public Safety, and the Youth Service Bureau Mental Health Planning Grant.

There being no further public comment the hearing on this item was closed.

B. Appropriations to Education Special Projects as follows:

1. Increase in Individuals with Disabilities Education Improvement Act (IDEIA) (2007-2008) \$7,738
to be funded by a grant from the Federal government for special education students ages 3-21.

2. Increase in Individuals with Disabilities Education Improvement Act (IDEIA) (2007-2008)\$133
to be funded by a grant from the Federal government for special education students ages 3-5.

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

Tom Stringfellow, 183 Hillstown Road, supports IDEIA. Students with disabilities are a viable part of the student body.

There being no further public comment the hearing on this item was closed.

- C. Approval of an amendment to the Code of Ordinances in Chapter 242, Property Maintenance Code, requiring registration of landlords. (A copy of the proposed ordinance may be seen in the Town Clerk's office during normal business hours.)

Director O'Neill recused herself from this discussion.

General Manager Shanley noted that since this item was last discussed, the \$25.00 fee was removed. Instead, there will be penalties for people who do not register. Mr. Shanley stated that a significant number of clerical hours will be needed to complete the list.

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

Attorney Joel Janenda spoke on behalf of Andrew Ansaldi, who is against the Landlord Registration Ordinance. Not all landlords are slumlords or bad guys. If the ordinance is aimed at fighting blight, the information is already available through the Town Clerk's office, the Tax Collector's office, and the Tax Assessor's office. Attorney Janenda suggested focusing on enforcement of codes already in place for the blight issue. This will just add a layer of paperwork and an additional expense. Attorney Janenda submitted a memorandum addressed to the Board of Directors from a second client.

Attorney Barry Botticello spoke on behalf of Ray Damato and Fountain Village, who own approximately 650 to 700 rental units total. Both clients are opposed to the proposed Landlord Registration Ordinance, though neither is opposed to addressing blight. Attorney Botticello asked several questions, including how many instances the Town has had where it has had trouble locating a landlord and how many people will need to be hired in the Building Department. He suggested requesting a phone number on the form that landlords already fill out regarding detailed income.

Bill Ogden, 137 Branford Street, asked if the BOCA rule already covers this situation and whether the Willie's Steakhouse property would fall under the old rule or the new rule. He noted a situation where there was a fire at Manchester Country Club and the contact person listed had not worked for the Club in over five years. He asked who will maintain the list to be sure it is up to date.

Scott Aiken, 92 Laurel Street, does not believe this ordinance will be a burden to landlords who can hire an attorney to speak on their behalf. Speaking as a landlord himself, he stated one

additional form will not be a problem and he supports the \$25.00 registration fee. The cost will cover the administration of the program and with people receiving \$800.00 to \$1,500.00 in rent, \$25.00 won't break the bank. He supports a fee for service structure of government.

Tom Stringfellow, 183 Hillstown Road, agreed that this ordinance may be a burden for some, but the Town needs a complete record for all landlords. People who do not keep up their property should be prosecuted.

Joe Brooks, 601 Bush Hill Road, was a landlord in the past and left that business because it is a tremendous burden on the owner of the property. He can see both sides of this issue. Once the landlord provides information to the Town, it becomes public knowledge. An unhappy tenant could get the telephone number and threaten and harass their landlord. He questioned whether anyone will really benefit from this ordinance.

Edgar Weaver, 195 Ferguson Road, is against the Landlord Registration Ordinance. He believes there are enough laws, but the problem is that nobody enforces them. Blight is caused by the individual homeowner that doesn't take care of their property. If blight is truly the problem, go after people with property where there is blight. The Town has the information already and it doesn't need another list.

There being no further public comment the hearing on this item was closed.

Director Topping posed several questions regarding this proposed ordinance, including how many times in the past year there has been a problem identifying a property owner, who will do the initial mailing to the landlords, how many landlords, cost and staff time involved, who will enter data into database, is there software already in-house, who will modify the database, and will another activity be curtailed to accomplish this? He asked why other towns have enacted an ordinance similar to this but have not enforced it and without the fee provision present in the earlier version, how would the cost be offset.

Director Sheridan asked for the Town Attorney's comments on this item.

Attorney Naab does not see a legal problem with this ordinance; it seems to be in accordance with the State Statute.

Director Sheridan noted that the State Statute allows for the collection of addresses, but does not mention telephone numbers. If a landlord does not comply and provide a telephone number, will this be grounds for an infraction? Mr. Sheridan suggested possibly changing the word "shall" so as not to exceed the authority of the State Statute. He also questioned whether restricting eligibility in a program such as CDBG is feasible since that is actually a federally funded grant program.

Attorney Naab's initial response is that CDBG is a federal grant to a municipality, not to an individual. He will look into the matter further.

Director Zingler asked how many rental units there are in Manchester, how many landlords, how you mail a form out to a landlord if you don't have their address on file, how one determines who are landlords, is there a designation on file in the Assessor's office, and how

much staff time will be needed to keep a list current. He believes this is a duplication of services because this information is currently being collected by the Town Clerk's office. Mr. Zingler asked who would be making sure information is entered correctly, who would be keeping the information up to date, and how the information would be accessible to the Police and Fire Departments after hours. He requested a report from the Zoning Enforcement Officer regarding code enforcement activities for the last six months including repeat offenders, types of activities, etc.

Secretary Pelletier noted that the Town takes information in all the time. This ordinance is so that landlords can give contact information. It is one component in solving the blight problem. Good landlords will not have a problem giving information to the Town. This ordinance is actually two-fold: it is for emergency situations and to begin to address blight problems. There will be a fine of \$250 for the first offense and \$1000 for each offense thereafter. Ms. Pelletier spoke about landlords being unaware of public nuisances created by their tenants and as a landlord herself, she would appreciate a call informing her of problem tenants. She stated that she is open to amendments to the proposed ordinance.

- D. Amendment to Code of Ordinances, Sections 285-16 through 285-26, Downtown Special Services District, to provide for changes in the election of the Board of Commissioners of the District. (A copy of the proposed ordinance may be seen in the Town Clerk's office during normal business hours.)

Tana Parseliti, Downtown Manager, explained that the proposed changes result from past experiences with elections. The proceedings are somewhat unwieldy and the goal of the proposed changes are to make elections a more simple, clear process.

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

- E. Appropriation to Board of Education\$88,314
for the completion of various projects to be financed by designated
general fund balance.

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

Scott Aiken, 92 Laurel Street, understands that the Town wants to spend its money wisely, but he wants to make sure that Manchester Regional Academy is not getting hurt by expending this money elsewhere. He does not want to see the Town being penny wise but pound foolish.

There being no further public comment the hearing on this item was closed.

Director O'Neill has heard from the Board of Education that these funds will still be going toward Manchester Regional Academy purchases.

- F. Approval of an Ordinance dissolving the Commission on Aging and dissolving the Commission for Disabled Persons and creating a new commission entitled the Commission for Elderly Services and People with Special Needs. (A copy of the proposed ordinance may be seen in the Town Clerk's office during normal business hours.)

Director Zingler recused himself from this discussion.

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

Tom Stringfellow, 183 Hillstown Road, asked several questions about the details of combining these two Commissions. He has mixed views about combining these Commissions, but knows it is his choice whether or not to accept the change or to resign.

There being no further public comment the hearing on this item was closed.

Secretary Pelletier explained that if a Commission were created it would be a new commission comprised of nine members, three with terms expiring in 2008, three with terms expiring in 2009, and three with terms expiring in 2010.

Director Sheridan was under the impression that these two Commissions were going to meet and debate whether this joining of Commissions should happen. It seems like the Board of Directors is currently driving this process rather than the Commissions. Mr. Sheridan does not think there is a big rush to do this and he would like to hear member's views on the name for this new Commission.

4. CONSENT CALENDAR (with the addition of Item 3.E).

3A. Appropriation to Special Projects as follows:

1. Manchester Dog Pound.....\$225
to be financed by a donation from the K-9 Kerplunck event
which is gratefully acknowledged and accepted.
2. State Asset Forfeiture.....\$12,084
for continuing narcotics investigations, equipment and training to be
financed by proceeds from narcotics investigations.
3. Federal Asset Forfeiture Account\$5,479
for continuing narcotics investigations, equipment, and/or training to be
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4. Expanded DUI Enforcement Grant (2007/2008).....\$95,775
to be financed by a grant from the State of Connecticut, Department
of Transportation.
5. Police Department – Public Safety\$800
for youth oriented and community based projects to be financed by a
donation from Rockville Bank Community Foundation, Inc. which is
gratefully acknowledged and accepted.
6. Manchester Public Library.....\$325
for purchase of books to be financed by a donation from David and
Billie Kapp which is gratefully acknowledged and accepted.

- 7. Youth Service Bureau – Children’s Mental Health Planning Grant.....\$125,000
to be financed by a grant from the Connecticut Health Foundation.
- 3B. Appropriations to Education Special Projects as follows:
 - 1. Increase in Individuals with Disabilities Education Improvement
Act (IDEIA) (2007-2008) \$7,738
to be funded by a grant from the Federal government for special
education students ages 3-21.
 - 2. Increase in Individuals with Disabilities Education Improvement
Act (IDEIA) (2007-2008)\$133
to be funded by a grant from the Federal government for special
education students ages 3-5.
- 3E. Appropriation to Board of Education\$88,314
for the completion of various projects to be financed by designated
general fund balance.
- 16A. Correction of term of appointment to Advisory Board of Health (Robin Klimkoski,
term expiring November 2010).
- 16B. Acceptance of resignation of Enrique Marciano (D) from the Commission for
Disabled Persons with a term expiring November 2009.

Secretary Pelletier moved and Director Zingler seconded the motion.

Nine Voted in Favor

RECESS.

The Board took a brief recess at 9:50 p.m. and returned at 10:00 p.m.

Deputy Mayor Peak moved and Director Topping seconded the motion.

Nine Voted in Favor

5. REPORTS.

A. Manager’s Report.

Gwen Marrion, a resident of Bolton, is leading the volunteer effort to close the East Coast Greenway. She explained there is a section in Manchester and Bolton consisting of about one mile that is not yet included in the Greenway. Ms. Marrion requested Manchester’s participation in the application for a grant from the Department of Environmental Protection. She drafted a resolution and requested that the Board put it on their February agenda for consideration.

Director Zingler asked if the Town of Bolton has enacted a similar resolution yet and Ms. Marrion stated that it hadn’t crossed her mind to request a formal resolution from Bolton. Their General Manager is in full support of this initiative but she will present a resolution to Bolton’s Board of Selectmen.

B. Senior housing plans – Carol Shanley.

Carol Shanley, Executive Director of the Manchester Housing Authority, reported that there are currently 413 elderly housing units and the Housing Authority is working on building 44 more units. There are over 400 people on the waiting list, with an expected wait of 4 to 5 years.

Ernest Lavissiere explained that he is a consultant who arranges financing for non-profit organizations who provide affordable housing. The housing being built is going to be marketed to seniors in the moderate income range of \$30,000 to \$35,000. There are no income minimum or maximum limits. Mr. Lavissiere explained the particulars of the three pieces of financing to the Board.

In response to questions from Mayor Spadaccini, Ms. Shanley stated that construction should be finished in spring of 2009 with groundbreaking in the spring of 2008. Ms. Shanley provided a display board showing a rendering of the units. She described the method by which people will be chosen for the new units, beginning with people already on the existing waiting list.

General Manager Shanley asked that the Board add an item to the agenda for the next meeting. The Teen Center needs more space and as a short-term temporary solution, a construction trailer has been suggested. Before approaching the PZC for their approval, Mr. Shanley would like to determine if the Board of Directors is willing to take this route. Mr. Shanley clarified that a statistic that has been cited several times regarding Manchester 20% loss of income is, in fact, from the years between 1989 and 1999. That is the last census data available. Manchester is looking into getting more up-to-date data. Congressman Larson is soliciting ideas for federal funds by January 18, 2008. If any Board member has an idea they would like included, they should provide the information to Scott so he can include it in the package for the Board's consideration.

Director Sheridan suggested including the Spring Street bridge information.

**C. QUESTIONS AND COMMENTS BY BOARD MEMBERS REGARDING
ITEMS ON THE AGENDA THAT MAY NEED ADDITIONAL
INFORMATION FOR THE NEXT MEETING.**

Director Zingler asked for a copy of the report concerning the Buckland Area Transportation Study before the next meeting. He would like an update on the Teen Night at Mary Cheney Library as well as a report on the afternoon high school session scheduled for Thursday. He asked if any resources or items are needed.

Director Sheridan asked if the conference calls involved in item 16.H have been scheduled yet. Mary Roche Cronin answered that the months have been scheduled but the exact dates are unknown.

Director Zingler asked that the minutes of December 18, 2007 include more detail about the discussion held regarding Item 16.Q, Interpretation of Board of Directors Rules of Procedure re conflict of interest.

Director Topping asked the Town Attorney to draft appropriate language that will change Item 3.C to include an initial fee of \$25.00 and a fee of \$10.00 for any change. Attorney Naab stated it would be helpful to have a copy of the earlier draft that included the language originally.

6. RECESS TO SECOND WEEK.

The meeting was recessed until the January 15, 2008 second meeting of the month.

Director Zingler moved and Director Tweedie seconded the motion.

Nine Voted in Favor

Recess: 10:50 p.m.

gem

APPROVED:

ATTEST:

Secretary, Manchester Board of Directors