

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
MARCH 3, 2009 – 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, Kissmann, and Farina

ALSO: General Manager Shanley and Town Attorney Naab

EXECUTIVE SESSION – 6:30 P.M.

The Board went into Executive Session at 6:30 p.m. to discuss Pending Litigation and concluded at 6:45 p.m. Present were Mayor Spadaccini, Deputy Mayor Peak, Directors Tweedie, Zingler, O'Neill, Kissmann, and Farina, General Manager Shanley, Town Attorney Naab, and Director of Administrative Services Moore. No votes were taken.

1. MEETING CALLED TO ORDER.

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

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

Joe Bernard, 28 Teresa Road, asked why the Town stopped plowing the Nature Center. He suggested it be locked up if it is not going to be used.

Michael Stebe, 36 Clinton Street, spoke about the Spruce Street Fire House and the fact that this is a hot issue that has been around for three or four years. The Fire House is in a neighborhood that is two to three times more densely populated than the rest of the Town and one that needs more services. The building is being underutilized. There is \$700,000 available for capital rehabilitation, including repairing the building and purchasing tables, chairs, and computers. This building can be used as a community meeting place.

Bonnie Schuetz, 12 Conway Road, thanked Town Department Heads for giving up their raises and said she hopes Dr. Ouellette will do the same. Ms. Schuetz asked if any testing has been done on the Parkade property. Mr. Shanley responded that the Parkade is private property and the Town is not doing any testing at this time. Ms. Schuetz said that the Fire and Police Departments do a great job and asked that the Board not cut their budgets.

Terry Werkhoven, 88 Santina Drive, said he witnessed the inspection of the Bennet roof by Gilbane Construction and speculated on the cause of the leak. He spoke about the fire damaged house on Adams Street and said he believes the Town took the necessary action to have it demolished. Mr. Werkhoven expressed his support for the Mayor's State of the Town Address made in January and said the brief overview was in the best interest of the Town. Mr.

Werkhoven spoke about the delay to work on the Martin School roof. General Manager Shanley said he would forward a copy of the report on the Bennet roof to Mr. Werkhoven.

Stephanie Knybel, 138 Bobby Lane, noted the ordinance regarding shoveling of sidewalks and asked what the proper procedure is for enforcing it. She has noticed many unshoveled sidewalks. Ms. Knybel said she would like to see the budget workshops televised like the Board of Education budget workshops. It is important to keep the public informed.

Debbie Streeter, 25 Eastfield Street, on behalf of the Manchester Para/Tutor Association, spoke to the Board of Directors about budget decisions they will be making in the near future. Approximately 73% of the Manchester Para/Tutor Association's membership is Manchester residents. Ms. Streeter spoke about unintended consequences of cutting jobs, such as people employed less than one year losing their jobs and possibly not receiving unemployment. She doesn't think the Board of Directors wants to see Manchester residents losing their homes.

General Manager Shanley, at the request of Mayor Spadaccini, addressed Ms. Knybel's sidewalk ordinance question. He explained that there is a ticketing process and most recently the Town has been using the part-time neighborhood enforcement folks to address code issues. Mayor Spadaccini added that the enforcement may be more difficult with the number of foreclosed homes growing.

3. PUBLIC HEARINGS.

A. Appropriation to Special Projects as follows:

1. FEMA Emergency Food and Shelter Program..... \$7,585
to be financed by a FEMA grant for emergency food and shelter.
2. Library Donation Trust Fund Account..... \$1,000
to be financed by a donation from Rockville Bank for the purchase of books and materials which is gratefully acknowledged and accepted.
3. Police Department – Public Safety \$1,000
for youth oriented and community based projects to be financed by a donation from Rockville Bank Foundation, Inc. which is gratefully acknowledged and accepted.

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 in Individuals with Disabilities Education Improvement Act (IDEIA) (2007-2008)..... \$17,632
to be funded by a grant from the Federal government for special education students ages 3-21.

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

- C. Appropriations to General Fund:
1. Public Safety – Police \$6,755
for reimbursement of overtime expenses related to the Click It or Ticket enforcement campaign for the period November 17-29, 2008 to be financed by a grant from the Federal Highway Safety Program.

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

- D. 1. Approval of an amendment to the Code of Ordinances, Chapter 70, Pensions and Retirement, to add a provision establishing a Retiree Health Care Trust.
2. Approval of the Retiree Health Care Trust document (post employment benefits – GASB 45).
 3. Appropriation to Retiree Health Care Trust \$75,000
to be funded by Designated General Fund Balance.

General Manager Shanley explained that these three actions are the result of a requirement that states and municipalities establish and begin funding post retirement benefit accounts as they would a pension fund. The \$75,000 is a token amount; there will be approximately \$140 Million needed over the next 30 years. Item D.2 establishes a trust to be managed by the Pension Board. The Board of Directors will need to discuss how to fund the trust in the future.

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 \$75,000 comes from leftover GASB compliance funds. General Manager Shanley answered in the affirmative. Mr. Peak said he sees this as a smart and responsible step. The total amount of money is significant and something the Board of Directors will have to struggle with over the years.

Mayor Spadaccini explained that right now these expenses are being funded on a “pay as you go” basis and all obligations are currently being met. Obligations will grow over time and the Town needs to have a plan to deal with that. Some municipalities are using undesignated fund balance to cover these costs, but Manchester is taking the more conservative, fiscally responsible route. Mr. Spadaccini noted the words “irrevocable grantor trust” on page 2 and on page 3, the sentence “The Town, by action of its Board of Directors, expressly reserves the right at any time to amend or terminate the Plan.” He asked how these two statements reconcile.

Attorney Naab will research this issue and get back to the Board.

Mayor Spadaccini asked if the disbursement of funds is envisioned as a lump sum each year into the operating budget, or disbursements to the beneficiaries directly. Mr. Desmarais said he anticipates an appropriation made at budget time, similar to TOMMIF.

- E. 1. Approval of the Von Ecker Farms Subdivision and acceptance of the public improvements and conveyances within the Von Ecker Farms Subdivision including the streets known as Lexi Drive, Aaron Drive and a portion of Bella Vista Lane.
- 2. Appropriation to Capital Reserve – Deferred Construction..... \$10,000 to be financed by a payment from Ansaldi Associates, LLC as required by the Public Improvement Standards.

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

- F. Approval of an amendment to the Code of Ordinances, Chapter 279, Streets and Sidewalks, to clarify the language in Section 279-31 regarding applicable highways and streets. (A copy of the proposed ordinance may be seen in the Town Clerk's office during normal business hours.)

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

**4. ADOPTED - CONSENT CALENDAR
(with Items 3.D and 3.F added and Item 16.D removed).**

- 3A. Appropriation to Special Projects as follows:
 - 1. FEMA Emergency Food and Shelter Program..... \$7,585 to be financed by a FEMA grant for emergency food and shelter.
 - 2. Library Donation Trust Fund Account..... \$1,000 to be financed by a donation from Rockville Bank for the purchase of books and materials which is gratefully acknowledged and accepted.
 - 3. Police Department – Public Safety \$1,000 for youth oriented and community based projects to be financed by a donation from Rockville Bank Foundation, Inc. which is gratefully acknowledged and accepted.
- 3B. Appropriations to Education Special Projects as follows:
 - 1. Increase in Individuals with Disabilities Education Improvement Act (IDEIA) (2007-2008)..... \$17,632 to be funded by a grant from the Federal government for special education students ages 3-21.
- 3C. Appropriations to General Fund:
 - 1. Public Safety – Police \$6,755 for reimbursement of overtime expenses related to the Click It or Ticket enforcement campaign for the period November 17-29, 2008 to be financed by a grant from the Federal Highway Safety Program.
- 3D.1. Approval of an amendment to the Code of Ordinances, Chapter 70, Pensions and Retirement, to add a provision establishing a Retiree Health Care Trust.

2. Approval of the Retiree Health Care Trust document (post employment benefits – GASB 45).
3. Appropriation to Retiree Health Care Trust \$75,000
to be funded by Designated General Fund Balance.
- 3E. 1. Approval of the Von Ecker Farms Subdivision and acceptance of the public improvements and conveyances within the Von Ecker Farms Subdivision including the streets known as Lexi Drive, Aaron Drive and a portion of Bella Vista Lane.
2. Appropriation to Capital Reserve – Deferred Construction..... \$10,000
to be financed by a payment from Ansaldi Associates, LLC as required by the Public Improvement Standards.
- 3F. Approval of an amendment to the Code of Ordinances, Chapter 279, Streets and Sidewalks, to clarify the language in Section 279-31 regarding applicable highways and streets. (A copy of the proposed ordinance may be seen in the Town Clerk's office during normal business hours.)
- 16A. Appropriation to Special Projects (under \$500) as follows:
 1. Police Donations Revenue Account - Manchester Police Explorer Post..... \$260
from dues.
 2. Police Donations Revenue Account.....\$20
to be funded by cash donation from child car seat installation.
 3. Children’s Butterfly Garden at Northwest Park\$30
to be financed by donations from Virginia Wickersham (\$15) and Joyce and David Trainer (\$15) which are gratefully acknowledged and accepted.
 4. Pride in Manchester Special Grants \$250
for Pride in Manchester Week activities to be financed by a donation from Manchester Art Association which is gratefully acknowledged and accepted.
 5. Recreation Department Special Grants \$183
for the youth basketball program to be financed by a donation from Positive Images which is gratefully acknowledged and accepted.
- 16B. Acceptance of donation of gift card (\$10) from Kellan Stewart to the Recreation Department to purchase supplies to support the Nike Tykes Preschool which is gratefully acknowledged and accepted.
- 16C. Appointment of a regular member (Salvatore Mancini) and an alternate member (Adam Gootkin) to the Capitol Region Council of Governments (CRCOG) Regional Planning Commission.
- 16E. Approval of early retirement for Timothy J. McCann, Police Department.

Director Farina moved and Deputy Mayor Peak seconded the motion to adopt.

**Nine Voted in Favor
(Kissmann abstained from Item 3.D)**

5. REPORTS.

A. Manager's Report.

General Manager Shanley noted a conflict with the budget workshops. After a brief discussion, the Board members came to consensus that it would reschedule the Board of Education's budget workshop.

**FAILED – MOTION TO SUSPEND THE RULES TO TAKE UP ITEM 16.G,
RESOLUTION TO TELEWISE BUDGET WORKSHOPS, AT THIS TIME.**

Director Zingler moved and Director Farina seconded the motion.

**Four Voted in Favor
Zingler, O'Neill, Kissmann, Farina
Five Voted in Opposition
Spadaccini, Peak, Pelletier, Tweedie, Beckman**

1. Report on potholes.

Mr. Carlino noted that due to the brief thaw we had in February, potholes have developed quickly. He gave a brief lesson about how potholes are formed. Currently, two crews are out repairing potholes on a regular basis. In the winter, the crews use cold patch, then at the beginning of April, they start using hot patch. So far, the crews have put down 20 tons of cold patch and Mr. Carlino expects that between 120 to 200 tons of cold patch will be put down by the end of March. There is a dedicated link on the Town's website where potholes can be reported. Mr. Carlino said some of the funds for pavement repair have been used for the purchase of salt.

Director Zingler asked what the approximate turnaround is after a pothole is reported. Mr. Carlino said potholes are currently repaired the same day or next day.

Mayor Spadaccini agreed there are a lot of potholes this year, but has noticed that Public Works has been very responsive.

Director Kissmann asked if the chemicals applied to the road during snowstorms affect the road itself. Mr. Carlino answered in the negative. It is strictly due to the freezing and thawing, which cause the expansion and contradiction of the pavement.

2. Status: Station 3 generator.

Chief Bycholski explained that during the power outage on January 6, the 42 year old generator at Station 3 shut down. It has a cracked block. He listed four options he could see: redirect funding, rent a generator (\$3,000 per month for 6 months), ask the Board of Directors to approve funding out of reserve, or wait until Fiscal Year 2009/2010 and have a contingency plan. Since the earliest the Town could install a pad and replace the generator would be May, Chief Bycholski chose to wait and has a plan for short and long term outages. There have been no power outages since January 6, 2009.

3. Status: Request for Proposal – Workers Compensation/Liability Insurance.

General Manager Shanley was previously asked for an update on the RFP process for Workers Compensation. He noted the documents handed out to the Board this evening. This is a significant undertaking. He expects the response period to be April or May.

Mayor Spadaccini, referring to the March 2009 General Manager's Report, asked for clarification on the numbers for Building Permit Revenues. It seems that the total revenues are almost the same and he wondered what those numbers reflect. He was under the impression that revenues have been significantly less recently. General Manager Shanley will look into the Building Permit Revenues and get back to the Mayor.

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

Director O'Neill requested that the Budget Workshops and the Public Hearing on the budget be included on the calendar on the Town's website. She noted that the Public Hearing will be held on March 17 at 6:00 p.m. at Waddell School.

General Manager Shanley mentioned that it was decided that the hearing be held earlier in anticipation of the number of people who will likely be speaking.

Mayor Spadaccini announced the birth of his daughter, Fabrizia, on February 20 and expressed thanks for the many calls and cards offering congratulations.

6. RECESS TO SECOND WEEK.

The meeting was recessed until the March 10, 2009 second meeting of the month.

Secretary Pelletier moved and Director Kissmann seconded the motion.

Nine Voted in Favor

Recess: 8:08 p.m.

gem

APPROVED:

ATTEST:

Secretary, Manchester Board of Directors