

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**JANUARY 15, 2008 – 7:00 P.M.**  
**LINCOLN CENTER HEARING ROOM**  
**SECOND MEETING OF THE MONTH**

**EXECUTIVE SESSION – 6:30 P.M.**

**PRESENT:** Mayor Spadaccini, Deputy Mayor Peak, Secretary Pelletier, Directors Tweedie, Beckman, Zingler, O’Neill, Topping, and Sheridan (not present in Executive Session)

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

The Board went into Executive Session at 6:30 p.m. and returned at 7:00 p.m. Present for the matter of Real Estate Negotiations/Property Acquisition were Mayor Spadaccini, Deputy Mayor Peak, Secretary Pelletier, Directors Tweedie, Beckman, Topping, O’Neill, and Zingler, General Manager Shanley, and Director of Economic Development and Neighborhood Services Pellegrini. There were no votes taken.

**7. MEETING CALLED TO ORDER.**

The meeting was called to order at 7:14 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Mayor Spadaccini.

**8. AWARDS AND PRESENTATIONS.**

There were no awards or presentations.

**9. ADOPTION OF MINUTES OF PREVIOUS MEETING.**

- A. **ADOPTED** - Actions, December 11, 2007 – Regular Meeting
- B. **ADOPTED** - Minutes, December 11, 2007 – Regular Meeting
- C. **ADOPTED** - Actions, December 18, 2007 – Regular Meeting
- D. **ADOPTED AS AMENDED** - Minutes, December 18, 2007 – Regular Meeting
- E. **ADOPTED** - Minutes, December 18, 2007 – Policy Briefing Meeting

**Director Sheridan** stated that under Item 17 of the December 18, 2007 minutes, he made additional comments concerning the use of tax warrants to collect delinquent water and sewer charges which he would like to see included in the minutes.

**Secretary Pelletier** stated that the Board received a second copy of the December 18, 2007 minutes after Director Zingler made a request during last week’s meeting that the Recording Secretary elaborate on the conflict of interest discussion. She cautioned the Board that the Recording Secretary’s duties are to prepare the minutes and not include speeches. Minutes are really a record of what is done at these meetings, and not so much as what is said by the members. Ms. Pelletier noted two further corrections to be made within this conversation of the

December 18, 2007 meeting. After Secretary Pelletier spoke, Deputy Mayor Peak made comments and at the end, Mayor Spadaccini also made comments. Those two names should be added.

**Mayor Spadaccini** clarified that Ms. Pelletier was just asking for reference that the two individuals spoke.

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

**Nine Voted in Favor**

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

**Norman and Cynthia Banta**, 674 Center Street, stated that they have both been blind since infancy and have had great experiences in their lives with many different things. Mr. Banta spoke about combining the Commissions on Aging and Disabled Persons. He believes the two groups can work together in presenting issues and keeping everything in continuity. He expressed his appreciation for Joanne Bonsey, a volunteer through the Senior Center.

**Joe Bernard**, 28 Teresa Road, expressed his displeasure with the speed of Town vehicles on Teresa Road. He believes they travel at the speed of at least 45 mph; the speed limit on the street is 25 mph and there is a blind person living on the street. Somebody is going to get hurt or killed and he asked who will be liable when they do. He requested that Mr. Carlino slow his drivers down.

**David Dumaine**, 86 Tracy Drive, complimented the Highway Department on the great job they did plowing. He supports stronger property code enforcement, whistle blower protection for tenants, and the hiring of appropriate staff for enforcement. Mr. Dumaine is opposed to registration of landlords. The suggested punishments do not fit the crime. He asked what the true projected costs of the Landlord Registration Ordinance are. Mr. Dumaine does not support a Landlord Registration Ordinance or an Anti-Blight Task Force.

**Jason Doucette**, 85 Stephanie's Way, spoke in support of the initiative to create a task force for the implementation for the Manchester Platform for Strengthening Families and Improving Outcomes for Children and Youth. He is pleased that Manchester has been selected to participate. Manchester has many of the tools and resources needed to implement such a plan. It will be a good exercise to get everybody together, take an inventory of our youth programs, and try to create a comprehensive youth plan. Mr. Doucette thinks this should serve as a spring board for future discussions on space needs for our youth programs.

**Ken Burkamp**, 811 Main Street, stated that he cannot support the Landlord Registration Ordinance as it is. He has no objection to the Police or Fire Department having a list, as long as it is in a secure place. Once a list of landlords becomes a public record, salesman can gain

access to it through Freedom of Information. Mr. Burkamp asked several questions regarding the details of the ordinance.

**Joe Brooks**, 601 Bush Hill Road, was told by his attorney that his quest for justice is a waste of time. He can't seem to stop coming to the Board meetings and suggested it would be easy enough for the Directors to stop him from coming by viewing the video of the incident for which he was arrested. If the tape disproves what he has been saying, he will stop coming. If the tape disproves the Chief of Police, then the Directors should do something about it. Mr. Brooks is requesting an independent review of the situation.

**Paul McNamara**, 8 Harvard Road, spoke in favor of the Landlord Registration Ordinance. He does not own any rental property, but is a homeowner and has a long term interest in Manchester. People who are not willing to keep up their investment must be called to task. This proposal is straightforward and in the best interest of the residents of Manchester.

**David Carlson**, 40 Olcott Street, thinks the Democratic Town Committee is launching a calculated, well orchestrated campaign to deflect from the issue of a Landlord Registration Ordinance. Directors Pelletier and Tweedie are both landlords, but are not slumlords and should not recuse themselves; neither should Director O'Neill.

**Richard Zimmer**, 945 Main Street, has been a landlord since 1964. The Building Department knows him, knows his phone number and his cell phone number. He doesn't hide from his tenants or Town officials. Town records show every piece of property he owns. He does not know why there is a need to register. If this ordinance is about blight, look at the existing information at the Town Hall and find the owner's name.

**Edgar Weaver**, 195 Ferguson Road, was told there is a serious and persistent issue of not being able to get in touch with landlords. He stated in 1968 and in 1988 there was no serious and persistent issue and asked why, in 2008, there is a serious and persistent issue. He doubts the issue is serious and persistent all of a sudden and that makes him think there is another agenda behind this proposal.

**Bill Ogden**, 137 Branford Street, spoke about Manchester Country Club losing money and closing their restaurant. The Club is \$142,000 in debt and the Town of Manchester took three days away from it.

## 11. COMMUNICATIONS.

**Director O'Neill** received a note from a former resident who is a professional sculptor and would like to do a sculpture in Town. She believes the note should be forwarded to the Arts Commission. Mayor Spadaccini received the same note and will forward his copy to the Town Manager.

**Director Zingler** received a notice from the President of the Spruce Street Block Watch inviting the Board to its next meeting on February 6, from 7:00 to 9:00 p.m. in Nathan Hale Cafeteria.

He also received an e-mail from Jessica Andrews concerning performance based accounting. He will forward a copy to other Board members. Director Zingler received a letter from Hillary Lewis with concerns about performance based accounting and the Mayor's comments ridiculing taxpayers' statements made during the Public Comment portion of the Board meeting.

**Secretary Pelletier** received an e-mail from Mr. Nelson who wanted to remind the Board and residents that there is a 24-hour period when you are supposed to clear snow off of sidewalks in front of your property. She requested information from the General Manager on the possibility of having Constables enforce this or what the Board can do to speed up the enforcement of this. Ms. Pelletier received a letter from Joseph Conroy regarding a letter he sent to a Building Department official in August 2007 about property being used as a business. He has yet to receive a response. She received a letter from Rebecca Janenda opposing the Landlord Registration Ordinance. She also received an open letter from Geoffrey King, which he read at last week's meeting, concerning the Landlord Registration Ordinance and the way he felt he was treated by Mayor Spadaccini. Mr. Tom Stringfellow sent her a copy of Homebuyer magazine with an article about first time homebuyers.

**Deputy Mayor Peak** received a letter from Gerard Lanning supporting the Blight Task Force. He noted the letters received by Mr. Zingler regarding performance based accounting and offered to arrange a workshop if other Board members are interested.

**Mayor Spadaccini** received a thank you note from Andrew Pero addressed to the Board of Directors for its contribution to the Adult Learner Scholarship. He received correspondence from Douglas Donnelly, President of U.S. Firearms Manufacturing Company, thanking individuals in the Manchester Fire Department, who helped free his car from the Town Hall parking lot. Mayor Spadaccini received a hearing notice for a public hearing scheduled January 29 on the matter of OptiSite Towers and Omni Point Communications application for a certificate of environmental compatibility and public need for telecommunications facility at 93 Lake Street. He received a letter from the Mayor of the Town of Vernon relating his concerns about the development application at 775 Lydall Street. Mayor Spadaccini received an explanation of January's special session from Governor M. Jodi Rell. He received a letter from Attorney Barry Botticello with several suggestions in lieu of a Landlord Registration Ordinance.

**ADOPTED - MOTION TO SUSPEND THE RULES TO ADD ITEM 12.C, YOUTH INITIATIVES PROPOSAL, TO THE AGENDA.**

**Secretary Pelletier moved and Deputy Mayor Peak seconded the motion.**

**Nine Voted in Favor**

**12. REPORTS.**

A. DOT presentation on Buckland Area Transportation Study.

Tom Maziarz, Capital Region Council of Governments and Jim Moran, State of Connecticut Department of Transportation, presented a report to the Board of Directors regarding the state of

the Buckland Area traffic situation. They realize that the approach taken in the past, a series of small fixes, is no longer adequate; the problem is too extensive and complex. Mr. Maziarz reviewed the study process, evaluation, and several options currently being considered. The study has concluded that there is a need to fix access to I-291, operations on I-84, and freeway access to the area. In the next few months, the study will focus on local road options, transit options, bike and pedestrian options, and land use options. Long range goals include identifying and evaluating alternatives (spring 2008), developing recommendations (summer 2008), and presenting a final report (fall 2008).

B. Report from the Board of Education re textbook program.

A report on this item was not received from the Board of Education.

C. **TABLED** - Youth Initiatives Proposal.

**General Manager Shanley** explained that this is a proposal to add temporary space to the Youth Services Bureau building. The proposal will need to go before the Planning and Zoning Commission for approval but he would like the Board of Directors' opinion first. In this fiscal year's budget, flexible funds have been provided for use by the Youth Task Force for Youth Initiatives. In the current fiscal year, expenditures for this proposal would total approximately \$6,000; next fiscal year expenditures would total approximately \$12,000.

**Mary Roche Cronin**, Director of Human Services, explained that limited space is an issue facing every Town department working with children and youth. Youth Services Bureau (YSB) expansion has been an unfunded issue on the Capital Improvements list since the FY2003/2004 budget. YSB is at a critical point. The members of the Youth Task Force are in agreement that some of the funding set aside should be used to obtain a trailer to be put behind the Youth Service Building to provide programming space. This is a short term answer to a long term problem.

**Erica Bromley**, Director of Youth Services, stated that YSB has been short on space for years and the need has been a priority for some time. What makes things different now is the amount and level of programming that YSB is currently doing and will be doing. Ms. Bromley described the new programs that are just starting at YSB, as well as the programs that are already operational. She explained that YSB receives a number of referrals from the court system, school social workers, Police Department, and our diversion program. Through grant funding, the Teen Center will be hiring a program coordinator for new structured programs. Hours will be extended as well.

**Ms. Bromley** described the current space which consists of one small teen center space and one small programming room. There is only one closed-door meeting or conference space in the entire building, which often makes things difficult. It is not entirely private; it was a piece of sheetrock added after the fact and is not sound-proof by any means. Confidentiality is mandatory in the case of juveniles, making it tricky to meet with youth and their families, or even when staff is discussing information among themselves. Ms. Bromley emphasized that

YSB faces many issues regarding space but the key to remember is that YSB cannot wait to plan for the future. These youth are in our programs now or, in some cases, not in our programs because we cannot accommodate them. The programs run at YSB are not recreational; they are purposeful skill-building programs and activities that teach youth how to be positive members of their community.

**Ms. Bromley** stated her belief that this trailer is the only reasonable solution that anyone has come up with to date. The current location of YSB is centrally located and serves both east-side and west-side youth equally. There are several major issues with using extra space in another location. First and foremost is staff. Other issues include supplies, equipment, and transportation. Ms. Bromley stated that this may not be the best idea, but it is the only idea so far that can work.

**Deputy Mayor Peak** asked Ms. Bromley to expand on the pros and cons of different space alternatives.

**Ms. Bromley** stated that the pro would be space to go to. Cons of using space in other buildings include staffing, transportation to and from, supplies, and storage.

**Director Tweedie** relayed that he has received several phone calls concerning the proposed trailer. He asked if there is another more pleasing, aesthetic, permanent option. In the two months that he has been on the Board, Mr. Tweedie has not heard of this need. All of a sudden the Board is being asked to hurry up and make a decision. This is just a band-aid on a big wound.

**General Manager Shanley** agreed this would be a band-aid and not an attractive one at that. In the two years that Mr. Shanley has been employed by the Town of Manchester, he has heard of space needs at the Teen Center during each budget process. Lately, the Library program has been incredibly successful. So successful that the number of attendees has had to be limited to no more than 300 teens. There are other solutions, some of which will be addressed during the budget process. The problem with waiting is that the kids need the programming and space now. Mr. Shanley also explained the distinction between the east and west sides and the probability that space on one side will not draw from the other. The current site is neutral. Portable classrooms are available but the cost is much higher for the same number of square feet.

**Director Zingler** related to Mr. Tweedie that about a year ago several individuals from the Teen Center spoke about space issues during the public comment portion of a Board meeting and others have commented about the space issue in the past. Mr. Zingler asked Mr. Shanley to review the financing.

**General Manager Shanley** stated that the Board of Directors has appropriated funds for youth initiatives to deal with emergency situations for the past two years. In the past, that money has been used at the library for different things. The funding for YSB this year would come out of those funds and for next year the net amount of flex money for youth initiatives would be reduced.

**Director Zingler made a motion to approve this request pending PZC approval. Director Topping seconded the motion. (No action was taken on this motion.)**

**Director Pelletier** understands that this is being presented as an acceptable alternative but she disagrees. The Board of Directors has not given been the opportunity to explore all of the options. Just this week, she met with individuals from a non-profit in town who readily offered space and auditorium use in a state of the art facility that actually does counseling with children. The perception by the community needs to be taken into consideration. Ms. Pelletier rejected the notion that the Cheney Building will not be available for years. She stated it is unacceptable to put a trailer at the back of this building at the last minute. She doesn't blame the Town staff for that. It's time that the Board and the community look at priorities. Ms. Pelletier stated that she has a lot of concerns and will not be able to support this motion.

**General Manager Shanley** related to the Board that staff has made it pretty clear that the logistics of trying to do programming in multiple sites, given the current staffing, will be very difficult. He stated his intention to have a policy discussion regarding the Youth Service Bureau during the budget process. The problem is that waiting on that discussion will impact programming.

**Director O'Neill** stated that it is important to continue to encourage the students that attend YSB. If this trailer will keep a large number of students attending, keeping them off the street and out of trouble, she supports the motion. She hopes all Board members will support this motion. Ms. O'Neill asked if this item could be revisited after receiving PZC approval if it does not pass tonight.

**Director Sheridan** agreed that the Board needs to have a serious conversation going forward about the needs of the Town's youth. He remembers in the summer of either 2003 or 2004 when youth issues really began to mushroom. At that time the youth outreach program began and there was a dramatic reduction in issues. Mr. Sheridan stated that the Town already had to turn about 100 teens away from the library program due to space needs. He would like to "throw everything we've got" at the youth issues. Manchester has a large community of at-risk youth. We need to be engaging them and getting them involved in positive interactions with caring adults. If Youth Services needs more space to make activities happen, then let's get them more space. He knows it is not a perfect solution, but doing nothing is not an option.

**Director Beckman** agrees with Director Sheridan's idea to "throw everything we've got" at the youth issues; however, he is reluctant to vote in favor of this motion because there may be a better solution. If something better is available, the Board should take a short time to explore it.

**Mayor Spadaccini** agreed that space is a problem but would like to explore other possibilities. He asked if using the basement of Probate Court had been explored for one-on-one counseling. Ms. Bromley said it had been looked into, but there really isn't much space.

**General Manager Shanley** asked if it was acceptable to the Board to go ahead and seek PZC approval. The consensus of the Board was that it was okay to seek PZC approval.

**Deputy Mayor Peak moved and Secretary Pelletier seconded the motion.**

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

**RECESS.**

The Board took a brief recess at 9:25 p.m. and returned at 9:37 p.m.

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

**Eight Voted in Favor**  
**(O'Neill out of the room)**

**13. PRESENTATION OF BID WAIVER REQUESTS.**

A. Election Equipment.

**ADOPTED - MOTION TO ADOPT RESOLUTION RATIFYING PURCHASE OF TEN VOTING STORAGE VAULTS FROM LHS ASSOCIATES, INC.**

**RESOLUTION**

**WHEREAS**, the federal legislation known as Help America Vote Act, also referred to as HAVA, provides funding to the states for distribution to local governments in furtherance of the act's goals; and

**WHEREAS**, with the federal funding it received pursuant to HAVA, the State of Connecticut offered each municipality, through its Registrars of Voters, \$1,000 per polling place for the purchase of equipment in the form of a reimbursement after the equipment has been purchased; and

**WHEREAS**, the Town of Manchester has 10 polling places and therefore is eligible for a maximum of \$10,000 in reimbursable expenses for such new equipment; and

**WHEREAS**, in order to qualify for the reimbursement from the State of Connecticut, the equipment needed to be ordered by no later than December 31, 2007; and

**WHEREAS**, to ensure that Manchester would be eligible for the reimbursement from the State of Connecticut on December 28, 2007, the Registrars of Voters for the Town of Manchester, without seeking competitive bids as required by Section 5-22 of the Town Charter, ordered ten "voting storage vaults" for the storage of the Town's optical scanning voting machines from LHS Associates, Inc. of Methuen, Massachusetts for a total cost of \$11,490; and

**WHEREAS**, the storage vaults are compatible with the Town's optical scan voting equipment, which was supplied by LHS Associates.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Town of Manchester hereby ratifies the actions taken by the Registrars of Voters on December 28, 2007 in purchasing 10 voting storage vaults from LHS Associates, Inc.

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

**Nine Voted in Favor**

#### **14. ACTION ON ITEMS OF PUBLIC HEARING.**

3C. 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.)

**Secretary Pelletier** described the proposed amendment change and addressed some of the concerns she has heard. This proposal does not contain a fee and is solely to ensure the safety of rental properties. She has heard reference made to information already being available at the Town Hall, but some of that information is confidential and most of it is located throughout different Town departments. The ordinance allows a property owner to use a property manager or an agent on their behalf. Ms. Pelletier related a recent report that says there have been nearly 200 incidents in which there have been problems trying to contact landlords.

**Director Zingler** thanked Attorney O'Neil for his lengthy memorandum in which he stated he still has some concerns about the overall cost to the taxpayers to implement such an ordinance. He is not against the ordinance, but he is concerned about the cost. Mr. Zingler asked if a web based application had been considered for registration.

**General Manager Shanley** stated that a web-based application has been explored and the IT staff believes they could develop something pretty quickly. People would have the option of registering online or by mail.

**Director Zingler** would like to see a registration fee included and proposed using the language drafted upon request by Attorney Naab, which reads, "Each such non-resident owner or agent shall pay a fee of \$25.00 for the initial registration and a fee of \$10.00 for each notice of change of address." Director Zingler thinks these fees would help offset some of the data entry costs and shows that the Town of Manchester is taking this seriously. He has spoken with some landlords and there are logistical issues involved. Not all landlords are slumlords; as with any population there are some "good apples and bad apples" in the community. Mr. Zingler would like to see this issue tabled to see if there is a web application and whether that changes our form, to see if there are other avenues that are unexplored, and to look at adding a registration fee.

**DEFEATED - MOTION TO TABLE.**

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

**Three Voted in Favor  
Zingler, Topping, Sheridan  
Five Voted in Opposition  
Spadaccini, Peak, Pelletier, Tweedie, Beckman  
One Abstention – O’Neill**

**Director Sheridan** asked for clarification on the number of man hours needed for implementation of this ordinance. At one point in the memo, it was stated that implementation of this ordinance would take 1,000 man hours. At other points, the amount of staff time was unknown or not yet determined. He asked how the estimate of 1,000 hours of staff time was arrived at.

**General Manager Shanley** explained that the Board received a memorandum dated October 5, 2007 in response to its request to identify any issues or challenges associated with this proposal. One of the items staff included in the memo was an estimate of 1,000 man hours in year one and possibly year two to establish the program. The estimate was done by basing it on the amount of time the Assessor’s Office spends tracking, verifying, and following up on income and expense reports that they receive on an annual basis. Mr. Shanley noted that the Town Attorney’s memo stated that he is unaware of any municipality that has followed up on this type of registration.

**Director Sheridan** stated that the memo also mentions that the Building Department would be responsible for the work load, but there will have to be some reorganizing of priorities. He asked if there is any idea of what work will be pushed lower on the priority list so this work can be done.

**General Manager Shanley** stated he does not know yet what work will be reprioritized. His initial thought is to use temporary help to establish the list and then use permanent help to maintain the list after the first year.

**Director Sheridan** stated he was not satisfied with the Staff’s answer about whether the Town has the authority to require the providing of a telephone number when the statute doesn’t speak to that simply by saying other towns have done it and haven’t had a problem. Mr. Sheridan explained the history of this State Statute, which is to provide a mechanism for getting legal service of process. He expressed his desire to add performance measurements to this ordinance similar to those included in the Living Wage Ordinance. Mr. Sheridan would like a process put in place that will compare the costs of materials, resources, and personnel devoted to the effort and the output we are getting in terms of the ability to contact landlords. He presented an amended version of the ordinance to Board members.

**Director Pelletier** agreed with Director Sheridan that there should be some type of report to the Board of Directors and suggested a friendly amendment to the information he provided.

**Director Sheridan** stated he will not consider Ms. Pelletier's change a friendly amendment.

**ADOPTED - MOTION TO AMEND FIRST PARAGRAPH OF THE PROPOSED ANNUAL REPORTING LANGUAGE TO READ AS FOLLOWS:**

**"1. No less than 90 days after the commencement of each fiscal year, the Town Finance Department shall forward a report to the Town Board of Directors on the level of compliance with the Landlord Registration Ordinance:"**

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

**Five Voted in Favor  
Spadaccini, Peak, Pelletier, Tweedie, Beckman  
Three Voted in Opposition  
Zingler, Topping, Sheridan  
One Abstention – O'Neill**

**Director Sheridan** stated he cannot understand why the Board would remove the requirement that would give an estimate of the total employee hours dedicated to the implementation and oversight of this ordinance. He intends to vote against this ordinance.

**Director Zingler** echoed Mr. Sheridan's sentiments. This is a reasonable way to evaluate an ordinance's use of staff hours. He does not think the residents deserve anything less than the amendment that Mr. Sheridan proposed.

**Deputy Mayor Peak** stated he will support this amendment. He was pleased to hear support for the idea of asking for annual reports on these ordinances. Ms. Pelletier's suggestion for a report that talks about the measure of compliance is reasonable. He will support the amendment to the ordinance.

**Director Topping** stated that he plans to vote against this amendment. He believes that watering down what Mr. Sheridan has proposed is a chilling example of censorship. There are many items in the initial amendment that will help to realize the costs to carry out an action of this Board. He is of the opinion that the majority wants to hide the true costs.

**Secretary Pelletier** stated the Board members can ask for a report at any time. She stated that every question that was asked in the last meeting was answered in September and October. Ms. Pelletier thinks it would be great to have an annual report given to the Board of Directors, but she will leave it up to the staff to determine what that report will be. The Board has to determine its priorities and the invitation is still open to discuss what we deem, as a working body, priorities. She would like the registration information to be mailed with tax bills and also allow staff to continue to meet and determine the best way to collect this information.

**ADOPTED - MOTION TO ADD EFFECTIVE DATE OF JULY 1, 2008 AND TO AMEND PARAGRAPH C OF PROPOSED AMENDED LANGUAGE CHANGE TO LANDLORD REGISTRATION ORDINANCE TO READ AS FOLLOWS:**

**“ C. The number of occasions when addresses or phone numbers obtained through the Landlord Registration Ordinance were requested by Town Staff for code enforcement or emergency notification purposes, and whether, in each such case, the address or phone number was in fact available to the requester from the database maintained as part of the Landlord Registration Ordinance; and”**

**Director Sheridan moved and Director Topping seconded the motion.**

**Eight Voted in Favor  
O'Neill Abstained**

**DEFEATED - MOTION TO AMEND ORDINANCE TO INCLUDE LANGUAGE IMPOSING A \$25.00 REGISTRATION FEE AND A \$10.00 CHANGE OF ADDRESS FEE.**

**Director Sheridan** noted that any fees included in this will offset the cost of administration of the ordinance. He disagrees that a \$25.00 fee will be a disincentive to register.

**Mayor Spadaccini** opposed the imposition of a fee. No other municipality has required a fee and the primary objective is compliance with the ordinance.

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

**Three Voted in Favor  
Zingler, Topping, Sheridan  
Five Voted in Opposition  
Spadaccini, Peak, Pelletier, Tweedie, Beckman  
One Abstention – O'Neill**

**Director Topping** asked what percentage of the fine will go to Manchester if an infraction goes to Superior Court.

**Attorney Naab** will check into the percentage of the fine that would come back to the Town. He explained the legislation that discusses civil penalties vs. fines. If a civil penalty were to be levied, then all of the fine would go to the Town.

There was further discussion between Director Topping and Attorney Naab about the specifics of the penalty and the Town's ability to place a lien. Manchester does not have a provision that gives it the authority to levy a lien. That is a different matter than a civil penalty. The fine of \$250 would be considered a civil penalty.

**Director Sheridan** suggested a severability clause. Attorney Naab and Mayor Spadaccini agreed with his suggestion.

**Mayor Spadaccini** stated his belief that it is important for the Town to have contact information for all non-owner occupied properties. He noted the report that stated there were 90 incidents of not being able to contact a landlord. Mayor Spadaccini acknowledged the costs associated with carrying out this ordinance; however, he pointed out the efficiency and cost savings when a firefighter doesn't have to spend hours chasing down a landlord's contact information.

**ADOPTED - MOTION TO AMEND ORDINANCE TO INCLUDE AN ANNUAL REPORTING REQUIREMENT AS AMENDED.**

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

**Seven Voted in Favor  
One Opposed – Sheridan  
One Abstained – O'Neill**

3D.**ADOPTED** - 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.)

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

**Nine Voted in Favor**

3F. 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.)

**ADOPTED - MOTION TO ADOPT WITH THE NEW COMMISSION'S NAME BEING CHANGED TO THE COMMISSION FOR ELDERLY SERVICES AND PEOPLE WITH DISABILITIES.**

**Director Beckman** expressed his excitement about what the newly formed commission can do. He served on the Commission on Aging and was disappointed by the lack of content. Mr. Beckman suggested the newly formed commission look into tax relief options.

**Secretary Pelletier** pointed out that the latest minutes of the Commission for Disabled Persons included six items on the agenda; five of which concerned both the elderly and people with disabilities.

**Deputy Mayor Peak** expressed his support for both of Mr. Beckman's suggestions.

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

**Eight Voted in Favor  
Zingler Abstained**

**15. UNFINISHED BUSINESS.**

A. Appointments to Boards and Commissions which have members with terms expiring in November/December 2007. \*T represents appointments that were tabled; \*R represents reappointments; \*A represents newly appointed members to the Boards and Commissions.

<u>Board/Commission</u>	<u>Name</u>	<u>Term Expiring</u>
Arts Commission	T-Vacancy (D)	November 2010
Arts Commission - Ex Officio	T-Vacancy, Mary Cheney Library	November 2010
Cable TV Advisory Committee	T-Vacancy, Board of Ed Appointment T-Vacancy, Town Appointment	July 2009 July 2009
Commission on Aging	<del>REMOVED</del> -Vacancy (R) <del>REMOVED</del> -Vacancy (R) <del>REMOVED</del> -Vacancy (R)	November 2010 November 2010 November 2010
Commission for Disabled Persons	<del>REMOVED</del> -Vacancy (R) <del>REMOVED</del> -Vacancy (R) <del>REMOVED</del> -Vacancy (R)	November 2010 November 2010 November 2010
Ethics Commission	A-Josh Howroyd, 155 Mountain Rd. (D)	November 2010

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

**Nine Voted in Favor**

B. **REMOVED** - Appointment of a member (R) to the Commission on Aging to replace Jeffrey A. Beckman with a term expiring November 2008.

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

**Nine Voted in Favor**

C. **ADOPTED** - Resolution extending deadline for draft report from Charter Revision Commission.

**RESOLUTION**

BE IT RESOLVED by the Board of Directors of the Town of Manchester that having received a request from the Charter Revision Commission to extend the due date of its draft report, that the Board of Directors hereby extends the due date for the draft report to May 27, 2008.

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

**Nine Voted in Favor**

**16. NEW BUSINESS.**

- C. **APPOINTED** - Appointment of a member (R) to the Cheney Hall Board of Commissioners with a term expiring November 2008 – Gerald Dierman, 176-F Oakland St.

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

**Nine Voted in Favor**

- E. **TABLED** - Presentation/Discussion: WiMAX Town/Business Partnership Case.

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

**Nine Voted in Favor**

- F. **ADOPTED AS AMENDED** - Resolution regarding creation of a blight task force.

**Secretary Pelletier** explained that this is a resolution creating a Blight Task Force to explore and develop specific strategies to deal with the problems enforcing the Property Maintenance Code and conflicts with existing Zoning Regulations.

**Director Sheridan** suggested a change to paragraph six of the resolution; changing the word “establish” to “recommend.” In the eighth paragraph, he suggested removing the words “conduct the research it deems necessary to achieve the purposes specified and shall develop information on relevant issues” and replace them with “be allowed to conduct research and develop information.” Mr. Sheridan made these recommendations as a friendly amendment.

**General Manager Shanley** stated that the General Manager, by Charter, is authorized to ask his staff to get together and do things. It’s really not an authorization, it’s a request or a direction. He thought the language that included specific employees should be reworded to just direct the Town Manager to put together a task force. Mr. Shanley suggested this as a subject at the February policy breakfast. At that time, we could hold a good discussion about the intents and the balances between private property rights and public rights.

**Secretary Pelletier** suggested, as a friendly amendment, changing both uses of the word “shall” in paragraph seven to “may”.

**Deputy Mayor Peak** stated that in the big picture, the Board is trying to deal with the basic sense that some people in the public have that there are parts of our town that should be cleaned up. The Board is approaching the basic issue that we want the Town of Manchester to look better, be a better place to live, be cleaner, and have properties that are not deteriorating.

**RESOLUTION**

(as amended)

**WHEREAS**, The Board of Directors of the Town of Manchester seeks to better protect, preserve and promote the quality of life of its citizens by establishing minimum standards governing the maintenance, appearance and condition of residential and non-residential premises; and

**WHEREAS**, it is hereby found and declared that there exists within Manchester, the City of Village Charm, a number of blighted and deteriorated properties that the continued existence of such properties contributes to the decline of the neighborhoods and results in an undesirable effect upon residential and commercial properties; and

**WHEREAS**, it is further found that the existence of vacant and blighted properties adversely affects the economic well being of the Town and many of the vacant and blight properties can become a convenient haven for criminal activities and create a potential public nuisance that affects or has the potential to affect the health, safety and welfare of the general public or a private nuisance which seriously depreciates property values and unreasonably interferes with a property owner's use and enjoyment of one's property; and

**WHEREAS**, vandalism and graffiti of a single property or structure can have significant negative economic and environmental impact on an entire neighborhood or business district; and

**WHEREAS**, the presence of blighted and neglected properties impair or arrest growth and development of a neighborhood, commercial or industrial zone and often lead to an exodus of current businesses and residents, threatening the spread of blight to other properties, neighborhoods and commercial districts; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Directors authorizes the Town Manager to create a Blight Task Force to recommend procedures for enforcement, inspection and penalties, including a means by which a residential and commercial property ownership database is maintained for problem properties in an effort to prevent, reduce or eliminate blight or potential blight that may exist.

**FURTHER BE IT RESOLVED**, under the direction of the Town Manager, the Blight Task Force may consist of nine (9) members and may be composed of the Town Staff Attorney, the Fire Marshal, the Chief of Police, the Director of Neighborhood Services and Economic Development, the Director of Public Works, the Chief Building Official, the Assistant Chief Building Official, the Zoning Enforcement Officer, a Health Department representative and any other Town staff as deemed appropriate.

**FURTHER BE IT RESOLVED**, the Blight Task Force shall identify problem properties within the community for examination and strategy building and shall be allowed to conduct research and develop information, but not limited to, the following:

Abatement of Public Nuisances  
Code Enforcement of Overcrowding or Uninhabitable Conditions in Residential Dwellings  
Emergency/Abandonment/Vacancy Acquisition, Repairs and/or Demolition of Property  
Enforcement Use of Constables and other Designees  
Graffiti and Litter Removal and Remediation  
Interior and Exterior Residential and Commercial Property Conditions  
Lawn and Landscaping Maintenance and Parking Regulations  
Physically Deteriorated, Uninhabitable, Useless for Intended Purpose or Vacant Structures  
Regulation of Inoperable or Abandoned Motor Vehicles or Machinery  
Rental Property Inspections and Revocation of Certificate of Occupancy  
Storage of Junk, Building Materials or Refuse in Residential Areas  
Waste Receptacle Compliance  
Work Authorization for Vacant and Open Structures

**FURTHER IT IS RESOLVED**, that the Blight Task Force shall convene in regularly scheduled meetings and shall provide a report containing specific amendment changes to strengthen the Town Code of Ordinances relating to issues identified in this resolution and recommendations to the Town Manager for consideration by the Board of Directors on March 4, 2008. The Blight Task Force may also submit such interim reports as it deems appropriate.

**Secretary Pelletier moved and Deputy Mayor Peak seconded the motion.**

**Nine Voted in Favor**

**ADOPTED - MOTION TO SUSPEND THE RULES TO GO BEYOND ELEVEN O'CLOCK.**

**Director O'Neill moved and Director Tweedie seconded the motion.**

**Nine Voted in Favor**

G. **ADOPTED AS AMENDED** - Resolution regarding requesting the Town Attorney draft an ordinance, suitable for adoption by the Board of Directors, to prohibit smoking of any kind within 50 feet of entrances and exits to the Mary Cheney and Whiton Libraries.

**Director O'Neill** explained that the libraries in town each have only one entrance and exit and she has heard complaints that people have no choice but to walk through the path of people smoking. She amended the resolution to replace the word "ordinance" with "policy". She stated that the Library Board supports the resolution. Ms. O'Neill would like to work with the Attorney General's office and our state's delegation to change State Statutes to allow ordinances to restrict smoking on Town property.

**Director Zingler** commended Ms. O'Neill for her steadfastness with this issue. The public health is at the heart of this resolution. He too has heard the complaints of library patrons who

have to walk through the smoke to get to the library. There are numerous studies on the effects of second-hand smoke and he encouraged his colleagues to support this.

**Mayor Spadaccini** asked Attorney Naab for his reaction to the resolution as amended.

**Attorney Naab** stated that he is of the opinion that an ordinance would be inconsistent with and violate State Statute Section 19A-342(g) but sees no prohibition in the Statutes on the Board adopting a policy by way of resolution.

**Secretary Pelletier** took issue with the language in paragraph thirteen because it is not the Board's job to legislate morality. If the premise is that second-hand smoke is unsafe within 50 feet of the libraries, she asked why it wouldn't be unsafe within 50 feet of any building we own. Recently, minutes from the Parks and Recreation Commission have had complaints about people smoking on our fields around the children.

**Director O'Neill** stated that this resolution is the first step in an incremental approach. She is open to applying this to athletic fields and other buildings in the future.

**Director Sheridan** cautioned the Board against creating a blanket policy. He seconded the recommendation that we ask the legislative delegation to review the Statutes concerning this. It seems to him that we should be able to regulate conduct on our property as long as we are not infringing on someone's rights.

**Deputy Mayor Peak** is glad that the Board will pass a resolution that will be legal. If the ultimate policy that results from this is hanging up a sign in front of the library, he is willing to support it. He stated he is hesitant to ban smoking everywhere in town.

**Director Tweedie** spoke to a library patron who recently went to the library at about 9:00 a.m. The patron said when he approached the library, there were about 15 people outside the library smoking and he felt intimidated.

**Mayor Spadaccini** agreed with the request to draft a policy for Whiton and Mary Cheney libraries. He suggested a friendly amendment to edit out the paragraph that Ms. Pelletier took exception to.

**RESOLUTION**  
(as amended)

**WHEREAS**, the smoking of tobacco products and other substances endangers public health; and

**WHEREAS**, numerous scientific studies have shown that second-hand smoke is a significant public health hazard; and

**WHEREAS**, the United States Environmental Protection Agency (EPA) has classified second-hand smoke as a Group A carcinogen, the most dangerous class of carcinogens; and

**WHEREAS**, the EPA has concluded that second-hand smoke causes coronary heart disease in non-smokers; and

**WHEREAS**, the United States Center for Disease Control and Prevention (CDC) estimates that second-hand smoke causes 3,000 lung cancer deaths per year among adult non-smokers in the United States; and

**WHEREAS**, second-hand smoke is especially hazardous to particular groups, including those with chronic health problems, the elderly and children; and

**WHEREAS**, the CDC has found that second-hand smoke causes children to suffer from lower respiratory tract illness, such as bronchitis and pneumonia, exacerbates childhood asthma, and increases the risk of acute chronic middle ear infections in children; and

**WHEREAS**, the Town of Manchester is committed to making its municipal buildings a safe, healthy and pleasant environment for everyone; and

**WHEREAS**, Manchester's Mary Cheney Library and Whiton Library are two of the most heavily-trafficked public buildings within the Town of Manchester, with an estimated 375,000 visitors every year; and

**WHEREAS**, access to and exit from Manchester's Mary Cheney Library and Whiton Library facilities is typically available only through one doorway; and

**WHEREAS**, smoking in and around that single library entrance and exit dangers children and adults by exposing them to second-hand smoke; and

**WHEREAS**, cigarette and cigar butts and used matches dropped onto the ground near the library entrance degrades the aesthetic quality of that space; and

**WHEREAS**, banning smoking within 50 feet of entrances and exits to public buildings is necessary to protect the public health, safety and welfare of Manchester residents, Town employees and library patrons.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors requests that the Town Attorney draft a policy, suitable for adoption by the Board of Directors, to prohibit smoking of any kind within 50 feet of entrances and exits to the Mary Cheney and Whiton Libraries.

**Director O'Neill moved and Director Topping seconded the motion.**

**Nine Voted in Favor**

- H. **REMOVED** - Resolution regarding creation of a task force for the implementation of Manchester's platform for strengthening families and improving outcomes for children and youth.

**Director Zingler** recused himself from this discussion.

**Director Sheridan** reviewed the history and purpose behind this resolution.

Ms. Roche Cronin stated that the internal task force is still at the fact-finding stage. She has received plans from other municipalities and all include the hiring of a consultant. Because it is still in its preliminary stages, she believes it would be advisable for Manchester to hire a consultant.

**Secretary Pelletier** stated her belief that a task force is premature at this stage and distributed an alternate resolution for the Board's consideration.

**General Manager Shanley** stated that his initial reaction is to combine the two resolutions into one workable solution. The key is to determine how to go about this, who will be involved, and what the discussion points will be. Mr. Shanley recommended seeking the recommendation of a consultant from NLC.

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

**Eight Voted in Favor  
Zingler Abstained**

- I. **POSTPONED INDEFINITELY** - Resolution regarding a Deferred Retirement Option ("DROP") program for Manchester Police officers.

**Secretary Pelletier moved and Deputy Mayor Peak seconded the motion.**

**Nine Voted in Favor**

- J. **POSTPONED INDEFINITELY** - Resolution regarding incentives for recruiting and hiring Manchester Police officers.

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

**Nine Voted in Favor**

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

**Director Sheridan** asked for a report from staff on how the Town should be planning for the 2010 census. LUCA recommends beginning preparations now. He also requested a follow-up report on the tax collection rate by March. Mr. Sheridan would like to receive a report on the next step needed to continue with the Spruce Street Youth Center as well as a report on the Emergency Operations Center.

**Director Zingler** asked for a copy of the Board of Education's budget book. General Manager Shanley noted that the Board of Education is under no obligation to provide the information until a specific date in February.

**Mayor Spadaccini** said he would make an overture to the Board of Education, requesting the Superintendent's proposed budget.

**Director Zingler** asked for a report of the status of archiving Board meetings online. He noted the schedule is not available online for Channel 16 broadcasts.

**Deputy Mayor Peak** thanked Mr. Shanley and Mr. Soper for their efforts with a fuel cell project. He reviewed a report from Mr. Carlino regarding graffiti removal and inspection and noted there were 50 incidences from October 10 through December 14, 2007. Mr. Peak asked for appointments to the Alternative Energy subcommittee. They will be Directors Zingler, O'Neill, Tweedie, and Deputy Mayor Peak.

**Deputy Mayor O'Neill** asked for a report on the textbook loan program.

**Secretary Pelletier** asked that Attorney Naab furnish the Board with any laws, rules, and procedures that Board members can take to investigate a citizen's complain regarding an independent police investigation.

**Director Topping** is glad Manchester Country Club is scheduled for a presentation at next month's meeting. He has received complaints about the parking situation in the Woodbridge Street area during church services and asked Mr. Shanley to direct the Chief of Police to enforce parking rules and report back to the Board on enforcement.

**Director Zingler** requested his weekly mail log in an electronic file.

**Mayor Spadaccini** has asked the General Manager and the Economic Development Commission to assist in an effort to develop Economic Development strategies to make Manchester more attractive. In late February, he will be holding an Economic Development Summit.

## **18. ADJOURNMENT.**

The meeting was adjourned until the February 5, 2008 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**

**Adjournment: 12:00 a.m.**

gem

**APPROVED:**

**ATTEST:**

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**Secretary, Manchester Board of Directors**