

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

7. MEETING CALLED TO ORDER.

The meeting was called to order at 7:04 p.m. All in attendance participated in the Pledge of Allegiance to the Flag, led by Mayor Spadaccini.

8. AWARDS AND PRESENTATIONS.

A. Presentation by John Garoppolo of trophy from Lions Club bowling tournament to benefit Fidelco Guide Dog Foundation.

John Garoppolo presented the Town of Manchester with the Felix Memorial Bowling Trophy and congratulated Mayor Spadaccini and Joe Camposeo for their win. The Lion's Club of Manchester and Vernon was able to raise \$12,000 for Fidelco at this tournament.

Mayor Spadaccini thanked Mr. Garoppolo for all of the hard work he does for Fidelco.

Mayor Spadaccini noted that the Hockanum River Linear Park Committee will be having a "Clean Up Bigelow Brook" day on April 19, 2008 and introduced the Chairman of the Committee, Doug Smith.

Doug Smith thanked the Board of Directors and General Manager Shanley and described where the brook flows. Their Committee has linked up with Save the Sound to complete this project. Volunteers will meet at the Parkade Cinema at 10:00 a.m. on Saturday, April 19, 2008.

Mayor Spadaccini read the official citation and thanked the Committee and organizers of the clean up effort for this project that is of great benefit to Manchester.

9. ADOPTION OF MINUTES OF PREVIOUS MEETING.

- A. **ADOPTED** - Actions, March 4, 2008 – Regular Meeting
- B. **ADOPTED** - Minutes, March 4, 2008 – Regular Meeting
- C. **ADOPTED** - Minutes, March 4, 2008 - Special Meeting, Board of Directors and Board of Education
- D. **ADOPTED** - Actions, March 18, 2008 – Regular Meeting
- E. **ADOPTED** - Minutes, March 18, 2008 – Regular Meeting
- F. **ADOPTED** - Minutes, March 25, 2008 – Policy Briefing Meeting

Secretary Pelletier moved to adopt 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.

Eugene DeJoannis, 280 Scott Drive, is in favor of the U.S. Mayor's Climate Protection Agreement, but cautioned the Board that part of the agreement puts expectations on Manchester. He is in favor of climate protection and taking action, but wanted to point out that the agreement involves big commitments of staff time from many departments. He distributed the "Austin Climate Protection Plan" to Board members and suggested a plan of this type is what the Mayor's Climate Protection Agreement may lead to.

Diane DeJoannis, 280 Scott Drive, spoke about the U.S. Mayor's Climate Protection Agreement. The conservation of energy and reducing global warming is a good idea. It is also a difficult idea to carry out. She mentioned the use of vehicles with higher gas mileage or the use of fewer vehicles and suggested building greener buildings. Ms. DeJoannis believes one or two full-time positions will be needed to fulfill this agreement. She urged the Board to think about the commitment before making the agreement.

David Dumaine, 86 Tracy Drive, expressed his opposition to the special waiver of the Living Wage Ordinance for Vision Technology Molding. It is not in the best interest of the Town. He questioned how the agreement adds to the quality of life, who will make up the tax difference, and who will pay for Husky and food stamps for Vision Technology Molding's employees. Paying a living wage is not asking too much of any company.

Geoffrey King, 62 Arnott Road, believes the Board of Directors has reached an erroneous decision about what the citizens of Manchester expect. The majority of voters approved an addition to the High School, a new sixth grade academy, renovations to Illing Middle School and infrastructure maintenance. The majority of voters want services and improvements.

Tom Stringfellow, 183 Hillstown Road, mentioned Earth Day and an article in the USA Today regarding the life cycle of plants. Today is the 40th anniversary of Dr. King's assassination. Dr. King died for all Americans. We have made some progress, but there have been recent controversies. Mr. Stringfellow commended Chief Berry on how he handled recent insults made publicly by a citizen.

Bonnie Schuetz, 12 Conway Road, noted eleven speakers at the recent Spruce Street Block Watch meeting and believes that is indicative of people giving up on the Spruce Street neighborhood. She spoke about the budget and the number of foreclosures in the United States. There are many houses for sale and foreclosures in Manchester. Prices are going up and it is homeowners that will suffer, not business owners.

Milt Perlman, 3 Sanford Road, is in favor of a Business Advocate position in Manchester. He spoke about layoffs and companies moving out of the country. The average salary is going down

and unemployment is going up. Highland Park School was leaking for two or three years and nobody ever came to a Board meeting to comment on the problem, but suddenly an entire audience recently had comments on the problem. Mr. Perlman did not hear anything about a tax abatement and would like to learn more.

Joe Brooks, 601 Bush Hill Road, explained that people who use a medication dose planner and mix medications are committing a felony. Mr. Brooks does not feel he is making any headway with his complaints. He has given over 50 years to this community and is not respected. If someone violates the law, they should be arrested. He was arrested, but did not violate the law. The Police Department says he violated three laws.

Tony Walter, 63 Delmont Street, is against the resolution requesting a waiver from the Living Wage Ordinance and a tax abatement for Vision Technical Molding. They have requested a seven-year abatement. At \$13,000 per year, the total abatement is about \$91,000 over the next seven years. Vision Technical Molding is a good company that employs 160 people and provides healthcare. It is morally wrong to pay an employee under a living wage. This is a “Walmart tactic” that siphons off of the community. Mr. Walter questioned whether the Board of Directors is willing to give tax breaks to residents since they are willing to do so for businesses.

11. COMMUNICATIONS.

Secretary Pelletier has received several inquiries about the fee charged when making online payments for water and sewer services. On the Town’s website, there is a Frequently Asked Questions section that answers many of the questions she has received. The Town of Manchester is not reaping the benefits of this charge.

Director Beckman received an e-mail from Jack McCoy regarding a dark fiber optic network. He would like to know the process in determining which organizations received the free service. General Manager Shanley asked him to e-mail specific questions.

Deputy Mayor Peak received a communication from a Kensington Street resident who has a neighbor with unregistered vehicles on the property and is facing foreclosure. There are also appliances on the lawn. He asked what authority the Town has in this situation. Mr. Peak received a communication from Helen Vincent of Vernon Street who has a neighbor with many dogs on the property that constantly bark through the night. He would like to know if there is an appropriate ordinance to take care of this problem. Mr. Peak received an e-mail from John Shields with concerns about applying for building permits. He suggested an ombudsman to deal with problems concerning permits, timing, and costs.

Director Topping noted a common complaint regarding personal storage containers. These have been popping up and staying on the properties for years. One on Oak Street interferes with a sight line of a neighbor pulling out of their driveway. Mr. Topping believes these are a hazard and a way of skirting zoning issues and asked if there are any regulations regarding storage containers. He will forward a list of locations to Mr. Shanley.

Mayor Spadaccini said there is a task force looking into personal storage containers, but thought that the sight line problem should be referred to the Police Department. He received a letter from Mohawk Industries regarding the permanent closure of its facility. Some workers are eligible for benefits and should get in touch with the Department of Labor. Mr. Spadaccini received a letter from Manchester Catholic Schools thanking the Board of Directors for the textbook loan program. He received three correspondences regarding the budget; two e-mails regarding reductions and tax increases and one letter requesting the Board reduce tax increases. Mr. Spadaccini received a letter from the Manchester Arts Commission stating Ms. Hachey resigned in December of 2007 and asking that one position be put on the agenda for next month. Donna Schaffer resigned and her position is designated for a member of the Arts Community. The Arts Commission recommends Christine O'Brien to fill that position.

12. REPORTS.

General Manager Shanley announced that a mortgage foreclosure forum will take place on May 14, 2008. The Town will send notification of the forum to the 3,400 Manchester residents who purchased a home or refinanced since 2004.

The Board received a recent update to the Economic Development's component of the Comprehensive Master Plan that includes household income data from 1999 through 2007. Manchester's income is up 11% while the State income is down 2%. It is important to know that Manchester has outperformed the State average.

Secretary Pelletier asked that the AA rated municipality report previously given to the Board have a column added that contains per capita income.

Mayor Spadaccini commended Town staff on its efforts regarding the upcoming forum. Subprime mortgages are a serious problem and it is key that our community is proactive. Many people don't realize there are programs available.

Deputy Mayor Peak seconded the praise for Town staff. He was impressed with how quickly everything was put together.

13. PRESENTATION OF BID WAIVER REQUESTS.

There were no bid waiver requests at this time.

14. ACTION ON ITEMS OF PUBLIC HEARING.

3F. APPROVED - Approval of an ordinance regulating newsracks in public rights of way. (A copy of the proposed ordinance may be seen in the Town Clerk's office during normal business hours.)

Director O'Neill has not heard any complaints about the current regulation of newsracks and thinks the proposed ordinance is too restrictive. The Town has not solicited input from the owners of the newsracks. She will not be supporting this ordinance.

Director Sheridan reviewed Constitutional Law over the last couple weeks and explained that whenever a regulation or ordinance is enacted that is going to restrict expression, the regulation has to be “narrowly tailored” and the least restrictive means must be used to accomplish its end. Mr. Sheridan reviewed several areas of concern, including the permitting process, the annual renewal requirement, vague language, restrictions in placement of boxes, the priority system, regulation of the coin mechanism, and the prohibition of illumination. Mr. Sheridan does not think the concept has been well thought out and will vote against this ordinance.

Director Beckman believes the ordinance is well put together and is clear and concise. He believes this is a step in keeping Manchester looking good. He intends to vote in favor of this ordinance.

Deputy Mayor Peak stated that the Town Attorney would not put anything unconstitutional before the Board. The big picture here is that newsracks accumulate and look bad. Having a well thought-out ordinance makes perfect sense. This is something Manchester needs to do to preserve its image. The fees will not be formally approved until July of 2008.

Director Topping noted that section 279-45 specifically exempts Downtown from portions of this ordinance. He does not have a problem with an application fee but thinks the fee per rack is excessive. He also thinks the renewal fee may be excessive and asked if there is any room to move with that fee. Mr. Topping can see a hardship to newsrack owners, especially those whose publications are free.

Secretary Pelletier addressed some of the previous speakers’ concerns. She does not believe this ordinance deals with free speech; it only deals with the containers and appearance of boxes.

Director Zingler is concerned with the logistics of this ordinance. He has never heard of issues with newsracks and thinks the Board has far greater issues that need to be dealt with. There is a 12-page well-written document before the Board that took up much energy and resources of Town staff. He will not support this ordinance because it provides excessive restrictions and he foresees enforcement problems.

Mayor Spadaccini commended Town staff for this well-crafted ordinance. This ordinance is a compilation of ordinances that work well in other communities. This ordinance will address safety and aesthetics; quality of life issues.

Secretary Pelletier moved to approve and Director Tweedie seconded the motion.

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

3G.ADOPTED - Approval of a resolution appropriating \$8,490,000 to the Capital Accounts of the 2007-2008 Budget for the renovation of Highland Park School, and authorizing the issue of \$8,490,000 bonds of the Town to finance said appropriation

and pending the issuance thereof the making of temporary borrowings for such purpose including the scheduling of a referendum therefor.

Secretary Pelletier moved to adopt and Director Beckman seconded the motion.

Role Call Vote:

AYES: Tweedie, Beckman, Peak, Pelletier, Spadaccini, Zingler, O'Neill, Topping, and Sheridan

ADOPTED - MOTION TO HOLD BOND REFERENDUM ON TUESDAY, JUNE 17, 2008, AT ALL POLLING LOCATIONS IN MANCHESTER, FROM 6:00 A.M. TO 8:00 P.M.

Director Zingler moved and Secretary Pelletier seconded the motion.

Nine Voted in Favor

ADOPTED - MOTION TO INSERT INTO SECTION NINE OF THE PRINTED RESOLUTION REGARDING THE RENOVATION OF HIGHLAND PARK SCHOOL A REFERENDUM VOTE ON TUESDAY, JUNE 17, 2008, BETWEEN THE HOURS OF 6:00 A.M. AND 8:00 P.M.

Director Sheridan moved and Director Tweedie seconded the motion.

Nine Voted in Favor

RESOLUTION APPROPRIATING \$8,490,000 TO THE CAPITAL ACCOUNTS OF THE 2007/2008 BUDGET FOR THE RENOVATION OF HIGHLAND PARK SCHOOL AND AUTHORIZING THE ISSUE OF \$8,490,000 BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$8,490,000 is hereby appropriated to the Capital Accounts for the 2007/2008 Budget for the planning, acquisition and construction of the renovation of Highland Park School (hereafter the "Project"). The Project shall consist of building and infrastructure improvements as determined from time to time including ADA, asbestos abatement and code compliance, HVAC, electrical, mechanical and plumbing improvements, demolition, roof replacement, interior space reallocation, temporary space utilization, land acquisition, building expansion, computer infrastructure and equipment, furniture and educational equipment, architectural, engineering, and other consultant services as required, legal, printing, financing and debt administration, or so much thereof or such additional improvements as may be accomplished within the foregoing appropriation. Said appropriation shall be in addition to all appropriations for such purposes adopted prior or subsequent to the effective date of this resolution, unless otherwise provided by the Board of Directors ("the Board"), but inclusive of state and federal grants in aid thereof. The Board and the Board of Education shall approve each improvement purpose as required in order to apply for and receive state or federal grants.

Section 2. It is hereby found and determined that the Town expects to receive an estimated \$5,095,000 in State school building project grants, consisting of the Town's current reimbursement rate multiplied by total estimated Project cost, reduced by estimated ineligible expenses. All of the estimated grant actually received shall be included as part of the \$8,490,000 appropriation. The Town may proceed with full design and bid documentation pending receipt of the state grant commitment.

Section 3. Upon approval of the Project and appropriation set forth in Section 1 at referendum as required by Charter Chapter 5 § 25, \$8,490,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, after taking into account state and federal grants in aid of the Project, are authorized to be issued to finance said appropriation. Said bonds shall mature not later than the twentieth year after their issuance date, and may be issued in one or more series in such amount as shall be determined on behalf of the Board by any two of the Treasurer, General Manager, and Director of Finance (the "Town Officials"), provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The Town may finance any portion of the appropriation with bonds, notes or other obligations issued to the State of Connecticut, the federal government or its agencies. Pursuant to Section 7-370 of the Connecticut General Statutes, except as otherwise provided herein, the Town Officials are delegated authority to determine the terms, details and particulars of borrowings authorized by this Resolution.

Section 4. Said bonds shall be sold on behalf of the Board by the Town Officials in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals, or by auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the purchase agreement shall be subject to the approval of the Board.

Section 5. The Town Officials are authorized on behalf of the Board to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds and to determine the terms, details and particulars of each said borrowing, including interest rates. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The bonds and notes herein authorized shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of any two of the Treasurer, the General Manager and the Chairman of the Board of Directors, bear the Town seal or a facsimile thereof, be certified by and payable at a bank or trust company designated by said officials which bank or trust company may be designated the registrar and transfer agent, and be approved as to their legality by Bond Counsel. Except as otherwise provided, they shall bear such rate or rates of interest as shall be determined by the Board. The bonds and notes shall be general obligations of the Town, and each bond and note shall recite that every requirement of law relating to its issue has been duly complied with, that it is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds or notes, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds and notes, as applicable, shall be determined by the Board in accordance with the requirements of the General Statutes of Connecticut, as amended. In connection with the issuance of any bonds or notes authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Board.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town of Manchester (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this resolution in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 8. The General Manager, or in his absence the Director of Finance, is hereby authorized, on behalf of the Town of Manchester, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

Section 9. The Project as adopted by the Board at this meeting shall be submitted to the electors of the Town of Manchester for approval or disapproval at a referendum vote to be held on June 17, 2008, between the hours of 6:00 A.M. and 8:00 P.M. and the Warning of said Referendum shall state the question to be voted upon as follows:

'Shall the resolution entitled, 'RESOLUTION APPROPRIATING \$8,490,000 TO THE CAPITAL ACCOUNTS OF THE 2007/2008 BUDGET FOR THE RENOVATION OF HIGHLAND PARK SCHOOL AND AUTHORIZING THE ISSUE OF \$8,490,000 BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE', be approved? Yes ___ No ___ '

The ballot label for said question will read as follows:

"Shall the \$8,490,000 appropriation and bond issuance authorization for the renovation of Highland Park School (to be financed by an estimated \$5,095,000 state grant and the issuance of an estimated \$3,395,000 of town bonds) as adopted by resolution of the Board of Directors, be approved? Yes ___ No ___ "

Section 10. The Town Clerk is hereby authorized and directed to prepare pursuant to section 9-369b of the Connecticut General Statutes explanatory text for the foregoing question. Subject to the approval of the Town Attorney, the Board further authorizes the preparation and printing of materials concerning the question approved above in addition to the explanatory text in accordance with section 9-369b of the Connecticut General Statutes.

Section 11. The Superintendent of schools is authorized to apply for and accept state and federal grants for the Program on behalf of the Town.

3H. TABLED - Adoption of a resolution appropriating \$7,950,000 to be added to the capital accounts of the 2007/08 budget for the purpose of paying the costs of certain water treatment system improvements at the Globe Hollow Water Treatment Plant; financing said appropriation by the issuance of Water System Improvement Temporary Notes pursuant to Chapter 102 of the Connecticut General Statutes in an amount not to exceed \$7,950,000; the rescission of a resolution adopted by the Board of Directors on August 7, 2007 authorizing the appropriation of \$5,950,000 for the Globe Hollow Water Treatment Plant Improvements and the issuance of notes to finance said appropriation; and such matters relating to the foregoing as may be properly considered at said hearing.

Deputy Mayor Peak moved to table and Director Beckman seconded the motion.

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

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	A-Maria Cruz (D) 129 Campfield Street	November 2010

Director Zingler moved appointment and Director O'Neill seconded the motion.
Nine Voted in Favor

Cable TV Advisory Comm.	A- Dr. Robert Pease	July 2009
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Secretary Pelletier moved appointment and Director Zingler seconded the motion.
Nine Voted in Favor

Cable TV Advisory Comm.	T-Vacancy, Town Appointment	July 2009
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Secretary Pelletier moved to table and Director Beckman seconded the motion.
Nine Voted in Favor

B. Youth Initiatives Proposal/Space – Youth Services Bureau.

General Manager Shanley noted discussion on this issue will take place in Executive Session.

16. NEW BUSINESS.

C. **TABLED** - Amendment of delinquent tax collection policies.

Secretary Pelletier moved to table and Deputy Mayor Peak seconded the motion.
Nine Voted in Favor

F. Discussion: staff suggestions re: Economic Summit next steps.

General Manager Shanley reviewed a memorandum dated April 3, 2008 which is a conglomeration of ideas from the Economic Summit as well as staff meetings. Some ideas include speeding up customer service, establishing regular small business hours (including evening hours), and meetings with all involved staff and the business owner. He explained the significant obstacles involved with the development of a manual, but will try to build on what currently exists. There is no substitute for one-on-one discussions. Mr. Shanley will be establishing a steering committee and suggested two meetings a year to review issues and develop work plans. He will be working on the position of a Small Business Advocate with Manchester Community College and the Chamber of Commerce. Marketing is an area that needs strengthening; Manchester is one of the state's best kept secrets. Mr. Shanley noted that the types of initiatives presented are sometimes underfunded and episodic. As we move forward, he would like further direction from the Board of Directors.

Secretary Pelletier thanked the Staff for its input. She believes it all comes down to a business liaison. Approximately 80% of new business growth is predicted to come from small businesses and we cannot ignore that sector.

Director Zingler is not sure that a business advocate is the route to take. The Connecticut Licensing Center generates a checklist for business start-up. He asked what we can do at the local level that the State cannot. Mr. Zingler said there are already great State resources and during a tight budget year he questions the use of funds for a liaison.

General Manager Shanley recommended making an effort to determine where gaps are. The role of a liaison may be different, but he will defer to the groups making the assessment.

Deputy Mayor Peak appreciates the work Town staff did on this issue. He concurs with the general notion that Manchester does some things extremely well, but may need to focus on improving others. He suggested one goal of a Small Business Advocate would be to increase the number of businesses in Town, which would in turn increase tax revenue and provide tax relief. Mr. Peak believes that a person at the local level will be valuable; he or she will have a vested interest in getting people started. He believes the position will pay for itself many times over. He suggested attaching performance pay to the position as incentive.

Mayor Spadaccini thanked Staff for its recommendations. He suggested quarterly meetings to keep the momentum going and also that the Chamber of Commerce be part of the Economic Development team.

RECESS.

The Board of Directors took a brief recess at 9:15 p.m. and returned at 9:25 p.m.

Director Beckman moved to recess and Director Topping seconded the motion.

Nine Voted in Favor

G. **ADOPTED** - Resolution on utilization of "Town days" at Manchester Country Club.

**RESOLUTION ON UTILIZATION OF THREE DAYS OF EXCLUSIVE USE BY
TOWN OF MANCHESTER OF THE MANCHESTER COUNTRY CLUB**

WHEREAS, the lease between the Town of Manchester and the Manchester Country Club, Inc. permits the Town of Manchester to use the golf course for three days per year without paying greens fee charges; and

WHEREAS, the Manchester Board of Directors wishes to promote greater use of the golf course by Manchester residents and make this recreation opportunity available to as many Manchester residents as possible; and

WHEREAS, the Manchester Board of Directors further wishes to create opportunities for the Manchester Country Club, Inc. to market itself and the golf course and increase the membership of the Manchester Country Club, Inc.

NOW, THEREFORE, BE IT RESOLVED, that beginning with the 2009 golf season, the Manchester Board of Directors exercises the Town of Manchester's right to use the golf course for three days per year in a manner that allows the golf course to be used exclusively by Manchester residents on said days without paying greens fees. The Town's Liaison to the Manchester Country Club and appropriate Town staff shall work with the Manchester Country Club, Inc. to designate the days of Town use. This resolution shall supersede any prior policies governing allocation of town days at the Manchester Country Club.

Director Tweedie reviewed past practices in the use of Town Days at Manchester Country Club and explained that fundraisers will still be an option to those groups if they contact the Country Club. Manchester Residents will now be able to have three days of golf without paying fees. The Club will benefit from the use through income generated at the restaurant, pro shop, cart rentals, and possibly new membership.

General Manager Shanley asked the Board how it foresees the tee time schedules being handled on the Town Days. Mr. Tweedie answered that people should call the Country Club to schedule their tee time.

Director Topping does not think the proposed resolution benefits Manchester residents as a whole and suggested one day of free golf to Manchester residents and two days reserved for non-profit fundraising events. The current economy is going to cause an increased demand for services provided by non-profits and this would give them an opportunity to raise funds. He hopes the Board is willing to compromise on this issue.

Director Sheridan noted that the Club did not have an issue with giving up golf operations for a day because some type of banquet function is associated with fundraisers. This resolution may impact the Club's bottom line. He also questioned whether it may be a violation of the lease.

Director O'Neill was concerned that the Board did not receive any input from the Country Club on this issue. Item 16.K on the Board's agenda is the authorization of a bank loan for the Club. She would hate to jeopardize the Club's profitability with this action.

Secretary Pelletier is not in favor of tabling this item. The Club has 22 days reserved for non-profits. Last year only 17 were utilized. There is ample space for other non-profits to hold fundraisers.

Director Zingler cautioned the Board to be careful making decisions that may impact the budget of the Country Club. He asked if one of the Town Days could be a Saturday so people who work during the week could take advantage of this opportunity.

Deputy Mayor Peak stated that the Country Club benefits Manchester because it allows residents access to well-priced golf. If the goal is to help Manchester get access to well-priced

golf, there is no better way than providing three free days of golf. The Town has a partnership with Manchester Country Club and wants to see it succeed. This proposal helps the Club have access to more revenue. He supports trying something new and creative.

Mayor Spadaccini clarified that this is not a modification to the lease; it is simply a resolution. He expects the Club's Board of Governors and the Town's Liaison to arrange tee times so all Manchester residents are treated equally. Over the years there has been criticism regarding the distribution of free days. This will get the Town out of the business of allocating days. Non-profits can still hold fundraisers at the Club. The Country Club will receive revenue from cart rentals, restaurant sales, and bar tabs. Mr. Spadaccini sees this as a creative avenue for the Club to market itself.

Attorney Naab noted that the proposal is not in violation of the lease.

Director Tweedie moved to adopt and Secretary Pelletier seconded the motion.

**Eight Voted in Favor
One Voted in Opposition – Topping**

DEFEATED - MOTION TO AMEND RESOLUTION TO REDUCE FREE DAYS TO ONE AND KEEP CURRENT LOTTERY SYSTEM FOR REMAINING TWO DAYS.

Director Topping moved to amend and Director Sheridan seconded the motion.

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

H. Discussion: development of demolition fund.

General Manager Shanley explained there has been a request to utilize sanitation fees to pay for the demolition of blighted buildings. In May, there will be a policy breakfast on sanitation issues.

Mayor Spadaccini further explained that this idea was raised in conjunction with the task force created to look into severely blighted properties. It would be used only when the Town is not successful in locating property owners.

Director Sheridan has no objection to the creation of this fund but objects to the use of the sanitation fund balance as a piggy bank. The last fund balance to play around with should be the Sanitation Fund. The future of refuse disposal is very unclear at this time. The last contract price doubled in one year. The Town has these funds segregated for closure of the landfill and the projected cost is only a best guess. When funds are set aside outside of the general fund, we need to be careful about using them as they are set aside for large expenses. Mr. Sheridan

supports the creation of a demolition fund, but if the fund needs to be millions of dollars, we should go to the voters. If the fund needs to be in the hundreds of thousands, then it should be part of the budget cycle.

Secretary Pelletier explained that this was initially envisioned to take care of smaller buildings. Funding is tight everywhere. She looks forward to future discussions and researching other sources.

Director O'Neill stated that one discussion held in Executive Session involved a large facility that someone was collecting rent from for years. That discussion should not have been held in Executive Discussion. She is not in favor of taking funds out of Sanitation. She asked Attorney Naab to review what should and should not take place in Executive Session discussion.

Deputy Mayor Peak explained that the goal of using demolition funds is to take down blighted or burned out properties that have been causing the public harm for years. Using this fund to take down one or two buildings will be a real success for this Board. Mr. Peak mentioned a settlement from Enron that is expected and suggested it would be justice if the settlement was used to improve the appearance of Manchester.

General Manager Shanley stated that tying funds to Enron is not quite accurate for a host of reasons that he will cover in detail at the Policy Breakfast.

Mayor Spadaccini said that a number of municipalities have demolition funds. The idea is that if a property is declared a nuisance, it can be demolished. A lien is placed on the property for the cost of demolition and interest is accrued. There are notice periods and ample opportunities for the property owner to step in. There is a connection between sanitation and a demolition fund. He suggested starting small and see how it works.

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

Secretary Pelletier moved and Director Tweedie seconded the motion.

**Eight Voted in Favor
Sheridan Opposed**

- I. **DEFEATED** - Resolution to endorse the U. S. Mayors Climate Protection Agreement.

Director Zingler explained that this issue was discussed at NLC and he has since had the opportunity to watch the movie "An Inconvenient Truth." Some of the scientific research that predicted problems is beginning to come true. Examples include category 5 hurricanes, an increase in severe storms, and an ice shelf seven times the size of Manhattan suddenly collapsing. The community needs to come together and think about ways to use transportation, heat and power homes, and the use of the environment. Fifteen other communities have endorsed this resolution.

Deputy Mayor Peak believes this resolution contains very big commitments. He reads it as an action plan and has a problem making a commitment the Board does not intend to keep. One example he gave was the use of methane as energy, something Manchester will likely be unable to do because of economics. He gave several other examples of action items that Manchester will be unable to complete and suggested the Board develop a plan specific to Manchester with clear performance measures. He is inclined to vote against this resolution but is committed to developing an action plan for Manchester.

Director O'Neill pointed out that the resolution states "strive to meet or exceed" and explained that this does not mean we will do everything put forth in the resolution. There are a lot of things to strive for. She believes the Board is missing the boat with criticism. It is time to put our money where our mouths are and increase recycling, the use of alternative energy, and the purchase of energy star equipment. If something isn't cost effective, we will not proceed because it is not in the best interest of the Town.

Director Sheridan admitted that when this idea was first broached he was not thrilled. But he looked into it and believes it creates a framework to build a plan. The only thing the resolution commits the Town to is striving toward the initiatives. He intends to vote in favor of the resolution.

Secretary Pelletier read the resolution carefully and after reading the first 10 paragraphs agrees it is clear that we need to do something. We need a comprehensive plan but this resolution is symbolic, nothing else. She thinks Manchester and the 29 other communities in CRCOG should get together and formulate a plan for the Connection region.

Director Beckman thanked Director Zingler for bringing this idea forward. He supports the ideas put forth in the resolution but likes the idea of developing something specific to Manchester.

Director Zingler moved to adopt and Director O'Neill seconded the motion.

**Four Voted in Favor
Zingler, O'Neill, Topping, Sheridan**

**Five Voted in Opposition
Spadaccini, Peak, Pelletier, Tweedie, Beckman**

J. Discussion: space needs at the Senior Center.

Director Zingler noticed in the Senior Center minutes of February 8, 2008 that there was significant discussion about programming and space needs. He asked that this item be put on the agenda to bring awareness to the subject. He understands a committee was established and that the need for additional space was recognized as much as 10 or 15 years ago. A report was generated and that may be a good starting point. The population at the Senior Center has changed since the report was put together.

General Manager Shanley will get a copy of the report for the Board.

- K. **ADOPTED** - Resolution amending Country Club authorization resolution to change bank name.

RESOLUTION CONCERNING MANCHESTER COUNTRY CLUB LEASE

WHEREAS, the Town of Manchester, as Lessor, (the Town) and The Manchester Country Club, Inc., as Lessee, (the Club) entered into a Lease, dated September 24, 1992, which, as amended, expires October 31, 2017; and

WHEREAS, the Club has incurred substantial debt; and

WHEREAS, the recently-elected Board of Governors of the Club has adopted a long-range business plan to refinance the Club's debt and to operate more efficiently; and

WHEREAS, an element of that plan is to sublease the restaurant and banquet facilities of the Club to an experienced, professional restaurant operator; and

WHEREAS, the Club has obtained approval from Rockville Bank for a seven-year term loan of \$500,000 and a revolving line of credit of \$50,000, both as evidenced in a letter from Rockville Bank to the Club, dated March 25, 2008; and

WHEREAS, the Town cannot assume liability for any debt or obligation of the Club to Rockville Bank; and

WHEREAS, a condition of said approval is assignment of the Club's leasehold under the Lease as collateral for repayment of said loans; and

WHEREAS, it is the judgment of the Manchester Board of Directors that approval of the proposed sublease and borrowing is in the Town's interest as Lessor and owner of the golf course and the golf, restaurant and banquet facilities;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Town of Manchester, that, consistent with Paragraph 7 of the Lease, the Town consents

(a) to a sublease of the restaurant and banquet facilities for a term ending not later than December 31, 2009; provided, however, that the sublessee's gross receipts from operation of the restaurant and banquet facilities shall be included in the calculation of "annual gross receipts," as defined in paragraph 2(b)(i) of the Lease, as if received directly by the Lessee, Manchester Country Club, Inc., and that the sublessee shall not be deemed to be a "concessionaire," as that term is used in the Lease.

(b) to assignment by The Manchester Country Club, Inc. of its interest under the Lease to Rockville Bank as collateral for a \$500,000 term loan and \$50,000 revolving line of credit, subject to the following conditions: (i) the Club will submit its Federal Income Tax Returns and CPA-prepared compilation level financial statements annually to the Town within 120 days of the fiscal year end. The Club will also submit to the Town an annual operating budget and

monthly reports showing actual results versus budget. (ii) In the event of a default by the Club, which, under the terms of either of the proposed loans, results in exercise by Rockville Bank or its successor of a right to enter and take possession of the Lease by Rockville Bank or its successor, selection by Rockville Bank or its successor of a person or entity to operate the golf course for the remaining term of the lease shall be subject to the Town's prior approval, which shall not be unreasonably withheld.

Secretary Pelletier moved to adopt and Director Tweedie seconded the motion.

Nine Voted in Favor

- L. **ADOPTED** - Resolution authorizing the General Manager to execute a tax abatement agreement/Vision Technical Molding/Advanced Mold – 73 Utopia Road.

General Manager Shanley explained that this company must meet criteria as set forth in the State Statutes. This is a local employer under pressure to expand, either in place or elsewhere. The cost to Manchester is relatively small and the company is appreciative of the gesture.

Director Zingler reviewed that the Board would be agreeing to seven years at \$13,000 per year, for a total of \$91,000.

Mr. Pellegrini explained that this company will be expanding and adding 26,000 square feet. He had asked the Assessor to look at the value as it stands today, but the value may change over the next seven years. In response to further questions from Mr. Zingler, Mr. Pellegrini explained that Vision Technical Molding would need a special exception to expand and that the agreement becomes effective the October after the building is complete. There are a total of 23 Manchester residents employed at the two companies.

Director Sheridan asked when the Town was contacted and if there are any outside factors that are making this so urgent. He understands the need to have a decision, but is uncomfortable with the way this is happening. It is unusual to do something like this on the fast track and deny the public the right to speak about this.

Mr. Pellegrini answered that the Town was contacted about two months ago with this request. The business owner is trying to make a decision about expanding in Manchester or going elsewhere.

Director Sheridan said the Board has to balance this request against the people we serve. In his experience, certain segments of our population believe that tax abatement should be a last resort. He would feel more comfortable if this item had appeared on the regular agenda. Mr. Sheridan thinks the Board should give people the opportunity to speak on this issue.

Director Topping echoed Mr. Sheridan's sentiments. He has a major problem with this being introduced in Executive Session.

General Manager Shanley explained that this is a proprietary business issue and he had no intention of embarrassing the business owner by bringing this up at a public meeting without first mentioning it in Executive Session.

DEFEATED – MOTION TO TABLE.

Director Topping moved to table and Director Zingler seconded the motion.

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

Secretary Pelletier moved to adopt and Director Tweedie seconded the motion.

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

M. ADOPTED - Resolution waiving provisions of the Living Wage Ordinance for Vision Technical Molding/Advanced Mold – 73 Utopia Road.

Secretary Pelletier thinks that the timeliness of this item is important to the community. She specifically recalls voting on a tax abatement in the past the same evening information was received about it.

Director Tweedie said that 2,750 businesses have closed their doors or moved from Connecticut and there have been layoffs in other businesses. We have in front of us a business that wants to grow and we do not want to send the message that we want him to be another statistic.

Director O’Neill does not think that \$1,100 a month is going to make or break this business or that moving to a border town is really going to be cheaper. The workforce here is educated and skilled. Since no public hearing was held on this item, Ms. O’Neill will not be supporting it.

Deputy Mayor Peak believes the primary reason to support this is that it is a good idea. Rules have been followed and the Board should move quickly to send a message that it is concerned about businesses staying in Manchester.

Director Zingler asked if this item was publicly noticed and General Manager Shanley explained that it is not a public hearing item. Mr. Zingler does not see reference to this item anywhere on the Town’s website and is concerned about the cloak of secrecy. He will vote against this item.

General Manager Shanley said there has been no attempt at secrecy and if the Board wishes to extend this item it should.

Director Sheridan does not see why this item was discussed in Executive Session and counseled the Board not to be so liberal about subjects addressed in Executive Session.

Mayor Spadaccini will rely upon Town staff and legal counsel about which items are and are not appropriate for Executive Session. All items will be cleared through the Town Attorney. Nobody on this Board wishes to violate Freedom of Information rules.

**RESOLUTION REQUESTING A SPECIAL WAIVER FROM THE LIVING WAGE
ORDINANCE TO ALLOW A TAX ASSESSMENT AGREEMENT BETWEEN THE
TOWN OF MANCHESTER AND VISION TECHNICAL MOLDING AND ADVANCE
MOLD.**

WHEREAS, the Board of Directors is being asked to enter into a tax assessment agreement pursuant to Section 12-65b of the Connecticut General Statutes with Vision Technical Molding and Advance Mold hereinafter referred to as VTM/AM; and

WHEREAS, this tax assessment agreement will assist VTM/AM with the planed expansion in the size of their facility at 71 Utopia Road by approximately 26,000 sq. ft., and allow them to add up to 30 new full time employees to those companies; and

WHEREAS, the proposed tax assessment agreement will result in the abatement of taxes over seven years in amounts estimated to be between \$84,000 to \$91,000 therefore requires compliance with the provisions of the Town's living wage ordinance; and

WHEREAS, the living wage ordinance allows the General Manager to apply for a special waiver of the payment of the living wage when in his opinion it is not in the best interest of the Town; and

WHEREAS, the General Manager requests a special waiver and exemption from the living wage ordinance to allow the proposed tax assessment agreement with VTM/AM to proceed; and

WHEREAS, VTM/AM has 160 full time employees, of which only 19 do not currently receive the living wage prescribed by the ordinance; and

WHEREAS, All full time VTM/AM employees receive a comprehensive benefits package including 10 paid holidays, medical coverage, dental coverage, short-term disability, and life insurance and a 401K plan; and,

WHEREAS, VTM/AM employees who do not currently receive the \$11.41/hour living wage are entry-level employees at the lower end of the pay scales for their respective job classes, but can advance to wage levels at or above the living wage ordinance with satisfactory job performance; and,

WHEREAS, The tax agreement with VTM/AM will help to retain 160 current jobs in Manchester, will help to create up to 30 jobs at this facility, and will add these jobs in an industrial firm with a skilled workforce and rigorous technical jobs which are crucial to the economic base of Manchester and the State of Connecticut; and,

WHEREAS, VTM/AM is in substantial compliance with the living wage ordinance; and,

WHEREAS, Overall, it is in the best interest of the Town to provide the tax assessment agreement and assist in the expansion of VTM/AM at this location; and,

NOW, THEREFORE, in consideration of the circumstances regarding the planned expansion of VTM/AM as outlined herein and the benefits which would accrue to the Town of Manchester with VTM/AM's facility remaining in Manchester, the creation of additional jobs by VTM/AM, additional real property taxes once the period of abatement has expired and the fact that a large majority of VTM/AM's workforce earn in excess of the living wage requirement and all full time employees do receive considerable benefits from the company, it is in the best interests of the Town of Manchester to approve the tax assessment agreement with VTM/AM and grant VTM/AM the special waiver from the applicability of the living wage ordinance.

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

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

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

Director O'Neill asked for a status report on the hybrid pilot. She noted a request from the Spruce Street Block Watch to have trash collected on Monday instead of Friday and will follow up with General Manager Shanley by e-mail.

Director Sheridan thinks that the use of alias tax warrants to collect water bills will be another tool to allow Manchester to collect as much money as possible. He urged that while looking at the delinquent tax collection policy, the Town should consider using the alias tax warrant as a template to collect water bills. He asked in January for a report from Staff on the planning for the 2010 census.

Director Zingler received a question from a resident asking why the music outside the library was stopped. General Manager Shanley explained the original intention of the music and that it has been determined that this is not a necessary expense.

Director Zingler asked that minutes from Boards and Commissions be posted online through the Town Clerk's office. Having them in one central location will be beneficial. He requested that it be communicated to Board members when and why Manchester is on the news. He receives phone calls and would appreciate a "heads up."

Director Topping said he has been on the Board of Directors for two and one-half years and it has been a pleasure to serve. Due to health issues he will be resigning effective in May. He wished the Board luck with the serious challenges before it.

Mayor Spadaccini thanked Mr. Topping for his service and wished him the best.

Deputy Mayor Peak noticed substantial graffiti on the gazebo in Center Springs Park and suggested removal as a project for the Center for Service Learning. He wished Mr. Topping luck and said it was a pleasure to serve with him.

EXECUTIVE SESSION.

The Board went into Executive Session at 12:06 a.m. and returned at 12:15 a.m. Present for the matter of Real Estate Negotiations were Mayor Spadaccini, Deputy Mayor Peak, Secretary Pelletier, Directors Tweedie, Beckman, Sheridan, Topping, O'Neill, and Zingler, General Manager Shanley, and Town Attorney Naab. There were no votes taken.

Secretary Pelletier moved to go into Executive Session and Deputy Mayor Peak seconded the motion. Nine Voted in Favor

18. ADJOURNMENT.

The meeting was adjourned until the May 6, 2008 Board of Directors' Annual Budget Adoption Meeting at 7:00 p.m. in the Lincoln Center Hearing Room.

Director Tweedie moved to adjourn and Director Topping seconded the motion. Nine Voted in Favor

Adjourn: 12:15 a.m.

gem

APPROVED:

ATTEST:

Secretary, Manchester Board of Directors